The Library of Congress'

EARLY STATE RECORDS PROJECT

converted from the original microfilm held by the
Vincent C. Immel Law Library, Saint Louis University

through the generous support of a grant from the

Council on Library and Information Resources

JOURNAL

OF

THE COUNCIL

OF

THE TERRITORY OF OREGON:

DURING THE

FIRST REGULAR SESSION OF THE LEGISLATIVE ASSEMBLY,

BEGUN AND HELD AT

OREGON CITY, JULY 16, 1849,

In the seventy-fourth year of the Independence of the United States.

OREGON:
ASAHEL BUSH, PUBLIC PRINTER
1854.

JOURNAL OF THE COUNCIL.

JULY 16, 1849.

On motion of Nathaniel Ford, of Polk county,
Mr. Blain was called to the Chair.
On motion of Mr. Parker, of Champoeg and Clackamas jointly,
C. M. Walker was appointed Clerk, *pro tem.*
When the following members of the Council appeared, produced their credentials, were personally qualified, and took their seats, to-wit:
From the county of Tuality—Wilson Blain.
From the county of Clackamas—W. W. Buck.
From the county of Polk—Nathaniel Ford.
From the county of Yamhill—James B. Graves.
From the county of Benton—A. L. Humphries.
From the county of Linn—W. B. Maley.
From the counties of Champoeg and Clackamas jointly—Samuel Parker.
From the counties of Lewis, Clatsop and Vancouver— ———.
From the county of Champoeg—Wesley Shannon.
A quorum being present, the Council proceeded to the election of President of the present Council.
Mr. Ford nominated Samuel Parker.
No other person being nominated, Mr. Parker was elected.
On motion of Mr. Ford,
C. M. Walker was nominated for Chief Clerk.
The Council then proceeded to the election of Chief Clerk, whereupon,
C. M. Walker was declared unanimously elected Chief Clerk of this Council, during its present session, took the oath required by law, and entered upon the duties of his office.
On motion of Mr. Blain,
The Council proceeded to the election of assistant Clerk, whereupon,
A. A. Robinson was declared to be duly elected assistant Clerk.
On motion of Mr. Ford,
The Council proceeded to the election of a Sergeant-at-Arms.
Messrs. A. Shaw and C. Davis were severally nominated.
For A. Shaw four votes.

For C. Davis four votes.
No election.
On second ballot, A. Shaw withdrew from the nomination, and Messrs. C. Davis and Samuel Kinney were nominated.
For C. Davis, seven votes.
For Samuel Kinney, one vote.
Whereupon, Mr. Davis was declared duly elected Sergeant-at-Arms.
On motion of Mr. Blain,
The Council proceeded to the election of Doorkeeper.
Samuel Kinney was nominated, and no other person being nominated, was declared duly elected Doorkeper.
On motion of Mr. Blain,
The Council adjourned until 3 o'clock, P. M.

AFTERNOON SESSION.

The Council met pursuant to adjournment.
On motion of Mr. Ford,
A resolution was passed, advising the House that the Council has organized, and have elected Samuel Parker, President, C. M. Walker Chief Clerk, A. A. Robinson, Assistant Clerk, C. Davis, Sergeant-at-Arms, and Samuel Kinney, Doorkeer, and are now ready for business.
On motion of Mr. Ford,
Resolved, That a committee of three be appointed by the President, to form rules and regulations for the government of the Council, during the present session, and report the same, whereupon,
The President appointed Messrs. Buck, Blain and Ford.
On motion of Mr. Buck,
The Council adjourned until 10 o'clock to-morrow morning.

JULY, 17, 10 o'clock, A. M.

The Council met pursuant to adjournment.
After reading the Journal,
The member of the Council, S. T. McKean, from the counties of Lewis, Clatsop and Vanvouver appeared, was duly sworn, and took his seat.
A message from the House:

Resolved, That the Council be informed that the House is now organized, having elected A. L. Lovejoy, Speaker, William Porter

Chief Clerk, B. Genois, Assistant Clerk, William Holmes, Sergeant-at-Arms and Daniel Bailey, Doorkeeper, and are now ready for business.

The following message was received from the House, by Messrs. Walling, Holman and Hembree, (members): "That the Governor had intimated to them his readiness to deliver his message at half-past ten o'clock, A, M., and requesting the Council to repair to the House of Representatives, to hear the message."

By the same committee, the following resolution of the House was handed in:

Resolved, That a committee of two be appointed on the part of the House, to act in conjunction with a like number on the part of the Council, to inquire and report upon the probability of obtaining the necessary printing for the House, and such other matters pertaining thereto, as they may deem pertinent.

On motion of Mr. Blain,

The Council repaired to the House.

The Governor's message having been read, the Council returned, and resumed the order of the day.

Mr. Ford offered the following resolution:

Resolved, That the members of the Council be arranged into the following standing committees:

A committee on judiciary,
A committee on ways and means,
A committee on claims,
A committee on elections,
A committee on the militia,
A committee on accounts,
A committee on engrossed bills,
A committee on the seat of government,
A committee on revisal and unfinished business.

On motion of Mr. Humphreys,

The foregoing resolution was adopted.

On motion of Mr. Shannon,

The following committee was adopted, to-wit:

A committee on education.

The committee appointed to prepare rules for the government of the Council, reported

"That the rules governing the Senate of the State of Missouri, at the first session of the tenth General Assembly, in the year of our Lord, one thousand eight hundred and thirty-nine, shall be the rules governing this present Council, with certain amendments."

On motion of Mr. Mealy,

The report of the committee was accepted.

On motion of Mr. Blain,

A committee of two was appointed to correspond with the committee appointed by the House, to inquire and report upon the probability of obtaining the necessary printing for the House, and such other matters pertaining thereto, as they may deem pertinent.

Whereupon, the President appointed Messrs. Blain and Mealy said committee.

On motion of Mr. Buck,

The Council adjourned until 2 o'clock, P. M.

AFTERNOON SESSION.

The Council met pursuant to adjournment.

On motion of Mr. Blain,

The vote adopting the rules and regulations of the Council was reconsidered.

Mr. Blain offered the following resolution:

Resolved, That a committee of two be appointed to confer with such committee as the House may be pleased to appoint, to draft rules for the government of the joint action of the two Houses.

Which was adopted.

Whereupon the President appointed Messrs. Blain and Shannon said committee.

On motion of Mr. Buck,

The Clerk proceeded to read over the rules for the government of this Council.

On motion of Mr. Ford,

The rules governing the Council, were adopted, which are as follows:

RULES AND ORDERS.

RULE 1. The President shall take the chair every day, at the hour to which the Council shall have been previously adjourned, and on the appearance of a quorum, shall call the Council to order, and cause the journal of the preceding day to be read, but a smaller number may adjourn from day to day, and compel the attendance of absent members, and any two members, at any time after the hour has arrived to which the Council has adjourned, may have a call of the Council, and have the names of the absentees entered upon the journal.

RULE 2. It shall be the duty of the President to preserve order, and he may speak on all questions of order in preference to any other member, rising from his seat for that purpose, and shall decide on all questions of order, subject to an appeal to the Council.

RULE 3. All questions shall be put in this form: "you who are of opinion, (as the case may be), say aye; of the contrary opinion, say no;" and in doubtful cases, the President may direct, or any member may call for a division.

RULE 4. All committees shall be nominated by the President, unless otherwise directed by the Council, in which case they shall be appointed by ballot.

RULE 5. Every member present, when a question is taken, shall vote, unless the Council, for special reasons, excuse him.

RULE 6. Every motion shall be reduced to writing, if the President, or any member require it.

RULE 7. A motion to adjourn shall always be in order, unless a member is speaking, and shall be decided without debate, and no member shall leave his seat after a question of adjournment is put, until the same shall be declared to be a vote by the President, nor until the President shall have left the chair.

RULE 8. When a member is about to speak, he shall rise and respectfully address himself to the President, and when a member is speaking, no member shall pass between him and the Chair.

RULE 9. The President shall preserve decorum, and if any member shall transgress the rules of the Council, the President shall, or any member may call to order, in which case the member called to order, shall immediately sit down, unless permitted to explain, and the Council, if appealed to, shall decide in the case.

RULE 10. No member shall speak more than twice on any one question, without leave of the Council.

RULE 11. When a motion is made and seconded, it shall be stated by the President, or, being in writing, it shall be handed to the Chair, and read aloud by the President, or Clerk, before debated.

RULE 12. After a motion is stated by the President, or read by the Clerk, it shall be deemed to be in possession of the Council, but may be withdrawn at any time before a decision or amendment, by consent of the Council.

RULE 13. While a question is before the Council, no motion shall be received, unless for amendment, for the previous question, or for postponing the main question, or to commit it, or to adjourn.

RULE 14. The previous question shall be put in the words, "Shall the main question now be put?" It shall be admitted only on demand of two members, and sustained by a vote of two-thirds of the Council, and until decided, shall preclude all amendments, and on debate, the main question.

RULE 15. Any member may call for a division of the question, when the same shall admit of it.

RULE 16. No committee shall sit during the sitting of the Council, without special leave.

RULE 17. The first reading of a bill shall be for information, and if objections be made to it, the question shall be, "Shall the bill be rejected?" If no objection be made, or if the question to reject be lost, the bill shall go to its second reading without a question.

RULE 18. Upon the second reading of a bill, the President shall state, "It is ready for commitment or engrossment;" and if committed, then the question shall be, "Whether to a standing or select committee, or committee of the whole?" and the Council shall determine on what day; but if the bill be ordered to be engrossed, the Council shall appoint the day, when it shall be read the third time.

RULE 19. A bill, after commitment or report thereof, may be recommitted at any time before its passage.

RULE 20. In forming a committee of the whole, the President shall leave the chair, and appoint a chairman to preside.

RULE 21. The President may at any time leave the chair, and call any member of the Council thereto, who shall be President of the Council for the time being; and the President shall at pleasure, resume the chair; and if the person called to the chair shall object, and the President insist, the question shall be decided by the Council.

RULE 22. When a motion is made for amendment of any bill or resolution, the mover's name shall be inserted on the journal.

RULE 23. The rules of the proceedings of the Council shall be observed in committee of the whole, so far as they may be applicable.

RULE 24. No member shall be permitted to vote on a subject in which he has a direct pecuniary interest.

RULE 25. No member in the minority of any vote declared shall have a right to move a reconsideration thereof.

RULE 26. No member shall call for the yeas and nays on any question, after the same has been declared to be a vote by the President.

RULE 27. When any petition, memorial or remonstrance is presented to the Council, the person presenting the same shall give a concise statement of the purposes thereof, and it shall be disposed of according to its character, without reading, unless the reading thereof be required by two members.

RULE 28. No bill shall pass the Council until a third reading, nor shall any bill be read more than once in any one day, unless otherwise directed by the Council.

RULE 29. If two or more members happen to rise at once, the President shall name the person who is to speak first.

RULE 30. No standing rule of the Council shall be revised or amended, without one day's notice being given of the motion thereof.

RULE 31. No member shall absent himself from the service of the Council without leave is first obtained, and in case a less number than a quorum of the Council shall convene, they are hereby authorized to send the Doorkeeper, or any person or persons by them authorized, for any absent member or members, as the majority of such members present shall agree, at the expense of such absent member or members respectively, unless such excuse for non-attendance shall be made, as the Council, when a quorum is convened, shall judge sufficient.

RULE 32. It shall be the duty of the Doorkeeper to keep order in the lobby, and to obey the orders of the Council from time to time.

RULE 33. It shall be the duty of the Chief Clerk to keep an exact journal of all the proceedings of the Council, and shall, from time to time, be subject to such further orders as the Council may direct.

RULE 34. No persons except the members of the House of Representatives, their Clerk, the Governor, Secretary of State, Judge of the supreme and circuit courts, attorney general and members of Congress, shall be admitted within the bar of the Council during the sitting of the same, unless invited by a member.

RULE 35. On the discussion of any business which may, in the opinion of a member, require secrecy, the President shall order the lobby to be cleared, and during the discussion of such motion, the doors shall remain shut, unless otherwise directed by the Council.

RULE 36. Any member voting in the minority, on any subject, and protesting against the vote of the Council, may have his protest entered upon the journal, if the language and tenor of such protest, would have been admissible in the discussion of the subject.

On motion of Mr. Buck,

The Council proceeded to classify the members, the result of which was as follows:

Messrs. Blain, Ford and Graves, councils of the first class.

Messrs. Buck, McKean and Shannon, councils of the second class.

Messrs. Humphries, Mealy and Mr. President, councils of the third class.

On motion of Mr. Shannon,

That the Council proceed to elect a Chaplain.

Mr. Blain moved to reconsider the motion,

Which was reconsidered.

On motion of Mr. Shannon,

That the Rev. Mr. Leslie be invited to act as Chaplain to this Council.

A message from the House:

Resolved, That a committee of two be appointed on the part of the House, to confer with the committee appointed by the Council, for the purpose of drafting joint rules for the government of both Houses.

A message from the House:

Resolved, That the Council be informed that the House has elected the Rev. Mr. Johnson, Chaplain.

Mr. Blain offered the following resolution:

Resolved, That a committee of two be appointed to act in conjunction with such committee as the House may appoint, to draft a

memorial to the Congress of the United States, in relation to the affairs and interests of Oregon Territory.

Whereupon, the President appointed Messrs. Blain and Shannon said committee.

On motion of Mr. Shannon,

The Council adjourned until 9 o'clock, A. M., to-morrow.

JULY 18, 1849, 9 A. M.

The Council met pursuant to adjournment.

After reading the journal,

On motion of Mr. Ford,

The report of the committee on joint rules was accepted.

On motion of Mr. Buck,

The following joint rules were adopted, to-wit:

JOINT RULES OF BOTH HOUSES.

RULE 1. While bills or joint resolutions are on their passage between the two Houses, they shall be on paper, under the signatures of their clerks respectively.

RULE 2. After a bill or joint resolution shall have passed both Houses, it shall be duly enrolled on paper, and the clerk of the House where it originated, shall endorse on the back thereof, the House in which it originated, under which he shall place his signature.

RULE 3. Every bill or joint resolution, after being enrolled, shall be examined by the joint committee on enrolled bills, consisting of at least one member from each House, who shall compare the same with the engrossed bills, and correct any errors they may discover, so as to make it agree therewith, and make their report forthwith to their respective Houses.

RULE 4. Every bill or joint resolution reported to have been duly enrolled, shall be signed first by the Speaker of the House of Representatives, who shall send the same to the Council, then by the President of the Council.

RULE 5. All bills and joint resolutions shall be signed by the Speaker of the House of Representatives and President of the Council, in their Houses respectively, when in session, which shall be carefully noted on the journal of each House.

RULE 6. When any paper or papers, proper to be acted upon by both Houses, shall come before either the House before which such paper or papers are laid, shall, after acting thereupon, lay it or them before the other House.

RULE 7. In case of disagreement between the two Houses, after passing the usual formalities, each House shall appoint, at the request of the other, two members to act as a committee of conference, which committee shall meet, endeavor to compromise the matter in dispute, and report to each House their proceedings thereon.

RULE 8. In all cases where the Sergeant-at-Arms of either House, by reason of official engagements, or other causes, be unable to execute the commands or process of the House of which he is an officer, it shall be the duty of the Sergeant-at-Arms of the other House, to execute such commands, together with such process as may be directed to him by the presiding officer thereof.

RULE 9. When a message is sent to the Council or House of Representatives, it shall be announced at the door by the Sergeant-at-Arms, or Doorkeeper, and shall be respectfully communicated to the chair by the person by whom sent.

RULE 10. Messages shall be sent by such persons as the President of the Council, or Speaker of the House of Representatives may designate for that purpose.

RULE 11. No bill that shall have passed one House, shall be sent for concurrence to the other on the last day of the session.

Mr. President offered the following organized committees, to-wit:

Committee on Judiciary—Messrs. Ford, Shannon and Graves.

Committee on Ways and Means—Messrs. Buck, McKean and Humphries.

Committee on Claims—Messrs. Mealy, Blain and Ford.

Committee on Elections—Messrs. Blain, Shannon and Buck.

Committee on the Militia—Messrs. Graves, Ford and Mealy.

Committee on Accounts—Messrs. McKean, Mealy and Humphries.

Committee on Engrossed Bills—Messrs. Humphries and Graves.

Committee on Enrolled Bills—Messrs. McKean and Buck.

Committee on the Seat of Government—Messrs. Shannon, Blain and Ford.

Committee on Revisals and Unfinished Business—Messrs. Blain, Graves and Buck.

Committee on Education—Messrs. Shannon, Blain and Humphries.

Mr. Shannon offered the following resolution.

Resolved, That the President of the Council appoint a committee of two to call on the Governor for a copy of his message, to be copied for the use of the Council.

Resolution not adopted.

Mr. Mealy offered the following resolution:

Resolved, That the House be informed that the Council have adopted the joint rules for the government of the two Houses, agreed to by the joint committee.

Which was adopted.

Mr. Blain offered the following resolution:

Resolved, That a committee of two be appointed to call on the House for the message, or a copy of the message of the Governor, for the use of the Council.

Which was adopted.

Messrs. Blain and Graves were appointed by the President said committee.

Messrs. Blain and Graves, committee to the House, for the message, or a copy of the governor's message, reported favorably.

The following resolution was received from the House:

Resolved, That the Governor's message be sent to the Council, for its use, as well as that of the House.

On motion of Mr. Shannon:

The Council adjourned until 2 o'clock, P. M.

AFTERNOON SESSION.

The Council met pursuant to adjournment.

The resolution from the House was taken up and read.

On motion of Mr. Blain,

The following motion was made and adopted, to-wit:

That a committee of three be appointed to draft a memorial to the Congress of the United States.

Whereupon, the President appointed Messrs. Blain, Shannon and Mealy said committee.

On motion of Mr. Buck,

The Governor's message was taken up and disposed of.

On motion of Mr. Blain,

So much of the Governor's message referring to the judiciary, be referred to the committee on the judiciary.

On motion of Mr. Buck,

All that part of the Governor's message memorializing Congress, be referred to the committee memorializing Congress.

On motion of Mr. Shannon,

All that part of the Governor's message referring to education, be referred to the committee on education.

On motion of Mr. Shannon:

That so much of the Governor's message referring to revenue, be referred to the committee on ways and means.

On motion of Mr. Mealy,

That all that portion of the Governor's message referring to the militia, be referred to the committee on the militia.

On motion of Mr. Blain,

That so much of the Governor's message referring to the location

of the seat of government, be referred to the committee to locate the seat of government.

On motion of Mr. Graves,

The Council adjourned until 9 o'clock, A. M., to-morrow.

JULY 19, 1849, 9 A. M.

The Council met pursuant to adjournment.

After reading the journal,

A message from the House:

WHEREAS, The Council, the highest branch of this legislature, has deemed it proper to appoint a committee to act with another committee to be appointed by the House, as a joint committee, for the purpose of drafting a memorial to the Congress of the United States, and whereas, it is believed by this House that the object would be better attained by the said committee, to act separately in drafting said memorial, therefore,

Resolved, That the Council be informed, that this House does not concur in the appointment of a joint committee for that purpose.

On motion of Mr. Blain,

The resolution from the House was entered on the journal.

Mr. Ford offered the following resolution:

Resolved, That the House be informed that the Council have rescinded the resolution appointing a committee to join such committee as may be appointed by the House, to draft a memorial to the Congress of the United States, and have appointed a committee on the part of the Council.

Which was adopted.

Committee.—Messrs. Blain, Shannon and Mealy.

On motion of Mr. Ford,

That the report of the committee to draft a memorial to Congress, be accepted.

Motion carried.

On motion of Mr. Buck,

The memorial to Congress was ordered to be read.

The memorial was read, and

On motion of Mr. Ford,

Was ordered to lay on the table until half-past 2 o'clock, P. M.

On motion of Mr. Graves

The Council adjourned until 2 o'clock, P. M.

AFTERNOON SESSION.

The Council met pursuant to adjournment.

The following resolution was received from the House:

Resolved, That the Council be notified that the House has adopted the joint rules.

Which was ordered to be placed on the journal.

On motion of Mr. Buck,

That the Council proceed to take up the memorial to the United States Congress.

The memorial was taken up, when

The following resolution was received from the House:

Resolved, That a committee of two be appointed on the part of the House, by the Chair, to act in conjunction with a like number to be appointed by the Council, to enquire into the expediency of the two Houses adjourning until after harvest, and that they report by resolution, or otherwise, whereupon the Speaker appointed Messrs. Chapman and King to be that committee.

On motion of Mr. Blain,

The rules of the Council were suspended, for the purpose of reading the report of the committee on memorials.

On motion of Mr. Ford,

The Council resolved itself into committee of the whole on memorials to the Congress of the United States.

Mr. Buck in the chair.

The committee of the whole after spending some time, rose, and the Chair reported progress.

On motion of Mr. Blain,

The report of the committee was accepted.

On motion of Mr. Blain,

The memorial was referred back to the committee that reported it with certain instructions.

Mr. Ford offered the following resolution:

Resolved, That a committee of two be appointed by the President to join the committee appointed by the House, to inquire into the expediency of adjourning the two Houses until after harvest.

Whereupon, the President appointed Messrs. Ford and Buck said committee.

On motion of Mr. Shannon,

The Council adjourned until 10 o'clock, A. M., to-morrow.

JULY 20, 1849, 10 A. M.

The Council met pursuant to adjournment.

After reading the journal,

The committee on enrolled bills reported that they had examined the rules and orders of the two Houses, and found them to be correctly enrolled.

On motion of Mr. Blain,

The memorial to the United States Congress,

Was ordered to its third reading.

The memorial was read the third time, and passed.

Mr. Buck asked leave to offer a bill to incorporate an academy in Tualitin county, on to-morrow.

Leave was granted.

On motion of Mr. Mealy,

The Council adjourned until 3 o'clock, P. M.

AFTERNOON SESSION.

The Council met pursuant to adjournment.

On motion of Mr. Buck,

That a committee be appointed on roads and highways,

Which was adopted.

Whereupon, the President appointed Messrs. Buck, Blain and Humphries said committee.

Mr. Buck asked leave to present the bill to incorporate an academy in Tualitin county.

Leave was granted, and

The bill was read the first time.

Mr. Ford moved for the indefinite postponement of the bill.

The bill was idefinitely postponed.

On motion of Mr. Ford,

The Council adjourned until 10 o'clock to-morrow morning.

JULY, 21, 10 o'clock, A. M.

The Council met pursuant to adjournment.

When the following resolution was received from the House:

Resolved, That a joint committee of two from each House be appointed to contract for the necessary printing.

Whereupon, the Speaker appointed Messrs. Chapman and Holman said committee.

Mr. Blain, on committee to contract for printing, asked leave to report.

Leave was granted.

Whereupon, the following resolution was adopted:

Resolved, That a joint committee of two from each House be appointed to contract for the necessary printing.

Mr. Shannon offered the following resolution:

Resolved, That a committee of two be appointed by the Council to act in conjunction with a committee from the House, to contract for the necessary printing.

Which was adopted.

Whereupon, the President appointed Messrs. Shannon and Blain said committee.

On motion of Mr. Ford,

The following resolution was accepted:

Resolved, The House concurring, that the legislative assembly adjourn on Saturday next, to meet again on,

Mr. President offered the following rule as a standing rule for the Council:

RULE. That when a resolution is accepted, it shall come up by motion.

Mr. Buck moved that the rule given by the President, be adopted.

The rule was adopted.

Mr. Mealy moved for the adoption of the resolution to adjourn.

On motion of Mr. Blain,

The yeas and nays were ordered, as follows:

Yeas—Messrs. Buck, Ford, Graves, Humphries, Mealy and Shannon—6.

Nays—Messrs. Blain, McKean and President—3.

The resolution was adopted.

On motion of Mr. McKean,

The Council adjourned until 2 o'clock, P. M.

AFTERNOON SESSION.

The Council met pursuant to adjournment.

Mr. Blain gave notice that on Monday next, he would introduce a bill, establishing the orthography and names of certain counties.

On motion of Mr. McKean,
The following resolution was adopted:

Resolved, That the blank in the resolution to adjourn on Saturday next, be filled with "Monday, 30th July instant."

The yeas and nays were ordered, as follows:

Yeas—Messrs. Blain, Buck, Graves, McKean and President—5.

Nays—Messrs. Ford, Humphries, Mealy and Shannon—4.

On motion of Mr. Ford,
The vote on the bill to incorporate an academy in Tualitin county was reconsidered.
On motion of Mr. Buck,
The bill to incorporate an academy in Tualatin county,
Was ordered to its second reading on Monday next.
On motion of Mr. McKean,
The Council adjourned until 9 o'clock, A. M., Monday.

JULY 23, 1849, 9 A. M.

The Council met pursuant to adjournment.
Mr. Buck presented a petition to establish common free schools.
Which was read.
On motion of Mr. Buck,
The petition was referred to the committee on education.
Mr. Ford offered the following resolution:

Resolved, That a committee be appointed to wait on the Secretary of the Territory, for the purpose of obtaining information, how to obtain means to defray the expenses of the legislative assembly of Oregon Territory.

Which was adopted.
Whereupon, the President appointed Messrs. Ford, Blain and Mealy said committee.
Mr. Blain, on leave, introduced a bill to establish certain counties,
Which was read the first time, and
Passed to its second reading on to-morrow.
Mr. Ford, on leave, introduced a bill to lay out the judicial districts of Oregon Territory,
Which was read a first time, and
Passed to its second reading on to-morrow.
On motion,
The Council adjourned until 3 o'clock, P. M.

AFTERNOON SESSION.

The Council met pursuant to adjournment.

The bill to incorporate an academy in Tualitin county,

Was read a second time.

On motion of Mr. Buck,

It was referred to a special committee.

Messrs. Buck, Ford, and Humphries, were appointed said committee.

The following resolution was received from the House:

Resolved, That the Council concurring herein, the two Houses will adjourn on Saturday next, at 10 o'clock, A. M., until the first Tuesday in October, 1849.

Mr. McKean offered the following resolution:

Resolved, That our delegate to Congress, be instructed to use his best endeavors to procure an appropriation, by congress, for the purpose of defraying the necessary expenses of revising and compiling a code of laws for this territory, by a board of commissioners to be raised by the legislative assembly.

Was ordered on the table.

On motion of Mr. Buck,

The rules were suspended, and,

The bill establishing the names of certain counties,

Was read a second time, and,

Ordered to be engrossed.

The Council went into committee of the whole on the bill to lay out the judicial districts of Oregon Territory.

Mr. Blain in the chair.

The committee rose and asked leave to sit again,

Which was granted.

Mr. Blain offered the following resolution:

Resolved, That the House be informed that the Council has filled the blank in the joint resolution on adjournment, with Monday, 30th instant.

Which was adopted.

The following resolution was received from the House:

Resolved, That the House does not concur with the Council in reference to the joint resolution of the two Houses.

Mr. Shannon offered the following resolution:

Resolved, That a committee of two be appointed by the Council,

to confer with a like committee from the House, in relation to adjourning on Saturday next, to meet at some future time.

Which was adopted.

Messrs. Shannon and Graves were appointed said committee.

On motion,

The Council adjourned until 9 o'clock, A. M., to-morrow.

JULY 24, 1849, 9 A. M.

The Council met pursuant to adjournment.

The committee on engrossed bills reported that they had examined the bill to establish the names of certain counties, and find it correctly engrossed.

Mr. Buck gave notice that on to-morrow, he would introduce a bill to create a board of county commissioners.

Mr. Ford asked leave to introduce a bill to establish probate courts,

Which was granted.

The bill was read the first time, and

Passed to its second reading to-morrow.

Mr. Blain asked leave to introduce a bill, fixing the rate of toll for grinding,

Which was granted.

The bill was read the first time, and

Passed to its second reading on to-morrow.

On motion of Mr. Blain,

The resolution instructing our delegate to Congress,

Was ordered up.

On motion of Mr. Blain,

The resolution was adopted.

Mr. Blain called for the third reading of the bill establishing the names of certain counties.

The bill was read the third time, and passed.

The Council went into committee of the whole upon the bill to lay out the judicial district of Oregon territory.

Mr. Blain in the Chair.

After spending some time, the committee rose and reported.

The report was accepted.

On motion of Mr. Blain,

The bill was referred back to the committee, with certain instructions.

The following resolution was received from the House:

Resolved, That a committee of two be appointed by the House, to

confer with the committee appointed by the Council, in relation to adjourning the two Houses on Saturday next, to meet at some future time.

Messrs. King and Holmes were appointed said committee.

Mr. Shannon offered the following resolution:

Resolved, That a committee of one be appointed to act in conjunction with a committee from the House, to examine bills, and see whether they are regularly enrolled.

Which was adopted.

Mr. Shannon was appointed the committee.

On motion,

The Council adjourned until 3 o'clock, P. M.

AFTERNOON SESSION.

The Council met pursuant to adjournment.

The committee to lay out the judicial district of Oregon territory, asked leave to report,

Which was granted.

Mr. Shannon offered the following:

The committee of conference have agreed to adjourn to meet on the first Tuesday in September, 1849.

Mr. Blain offered an amendment to the report of the committee, by inserting the "third Monday in August, 1849."

Which was adopted as amended,

The yeas and nays being ordered, as follows:

Yeas—Messrs. Blain, Buck, Ford, Humphries, Mealy and Shannon—6.

Nays—Messrs. Graves, McKean and President—3.

A message from the House:

MR. PRESIDENT: I am instructed to inform the Council that the House has adopted the compromise of the committee of conference, in reference to the adjournment of the two Houses, and have adopted the report.

The following message was sent to the House:

MR. SPEAKER: I am instructed to inform the House, the Council did not adopt the report of the committee of conference, in reference to the adjournment, but have amended it, to adjourn the "third Monday in August, 1849."

Mr. Blain presented a petition from J. Q. Thornton,
Which was read.
Mr. Blain offered the following resolution:

Resolved, The House concurring, that this seal be adopted as the seal of the Territory, and that the Hon. J. Q. Thornton be allowed the sum of seventy-five dollars for it.

On motion of Mr. Ford,
The petition was laid on the table.

On motion of Mr. Blain,
The bill to lay out the judicial district of Oregon territory, was amended by striking out all that part relating to probate courts.
On motion of Mr. Ford,
The bill was ordered to be engrossed, and
Read a third time to-morrow.
Mr. Mealy asked leave to introduce a bill, entitled, an act concerning marriage,
Which was granted.
The bill was read a first time, and
Ordered to its second reading to-morrow.
On motion,
The Council adjourned until 9 o'clock, A. M., to-morrow.

JULY 25, 1849, 9 A. M.

The Council met pursuant to adjournment.
After reading the journal,
The committee on engrossed bills reported they had examined the bill to lay out the judicial districts of Oregon territory, and find it correctly engrossed.
The report of the committee was accepted.
Mr. Buck presented a bill entitled, a bill to establish a board of county commissioners.
The bill was read the first time, and
Ordered to its second reading to-morrow.
Mr. Blain offered the following amendment to the resolution, to "adopt the seal of J. Q. Thornton as the seal of this territory:"

Resolved, The House concurring, that the territorial seal offered by the Hon. J. Q. Thornton, be adopted as the seal of this territory.

The President instructed the following note to be sent to the House:

MR. SPEAKER: I am instructed by the President of the Council

to forward you this "petition" from the Hon. J. Q. Thornton, with the accompanying seal, and the resolution of the Council, as adopted.

On motion of Mr. Shannon,
The act to establish a probate court,
Was read the second time, and
Referred to the committee of the whole.

The Council went into committee of the whole upon the bill to establish probate courts.

After spending some time, the committee rose, and asked leave to sit again.

The following resolution was received from the House:

Resolved, That a committee of one be appointed by the Speaker, to act in conjunction with a like committee from the Council, to examine bills, and see whether they are regularly enrolled.

Mr. Matlock, was appointed a committee on part of the House.
On motion of Mr. Blain,
The bill fixing the rates of toll and grinding,
Was read a second time,
Ordered to be engrossed, and
Read a third time to-morrow.
On motion,
The Council adjourned until 3 o'clock, P. M.

AFTERNOON SESSION.

The Council met pursuant to adjournment.

Mr. Shannon asked leave to introduce a bill, authorizing the governor to call an election to fill vacancies in the legislative assembly,

Which was granted.
On motion of Mr. Blain,
The rules were suspended, and
The bill was read a second time.
On motion of Mr. Ford,
The rules were suspended, and
The bill was read the third time, passed, and sent to the House.
The bill laying out the judicial district of Oregon territory,
Was read a third time, passed, and sent to the House.
The bill concerning marriages,
Was read a second time.
The Council went into committee of the whole on the bill concerning marriages.
After spending some time, the committee rose, and reported progress.
On motion of Mr. McKean,
The bill concerning marriages,

Was ordered to lay on the table.

The bill to organize a probate court, was called up.

On motion of Mr. Ford,

The bill was laid on the table.

On motion,

The Council adjourned until 9 o'clock to-morrow morning.

JULY, 26, 9 o'clock, A. M.

The Council met pursuant to adjournment.

After reading the Journal,

The committee on engrossed bills reported that they had examined the bill fixing the rates of toll for grinding, and find it correctly engrossed.

The report was accepted.

On motion of Mr. Buck,

The bill to establish a board of county commissioners,

Was read a second time, and

Referred to the committee of the whole.

The Council went into committee of the whole on the bill to establish a board of county commissioners.

After spending some time, the committee rose, and reported progress.

On motion of Mr. Buck,

The bill to establish a board of county commissioners,

Was ordered to be engrossed, and

Pass to its third reading to-morrow.

The following resolution was received from the House:

Resolved, That a committee of two be appointed by the Speaker to act with a like committee of the Council, to make arrangements for the printing of the laws of this territory.

Which was adopted.

Messrs. King and Consor, committe on the part of the House.

The following bills were received from the House:

A bill to define the jurisdiction of the supreme and district courts, and a bill regulating seed horses,

Which were respectively read a first time, and

The bill to define the jurisdiction of the supreme and district courts, was

Passed to its second reading to-morrow.

On motion of Mr. Ford,

The rules forbidding a bill to be read twice the same day, were suspended, and

The bill to regulate seed horses, was
Passed to a second reading, and
On motion,
The Council went into committee on the bill regulating seed horses.
The committee rose, and reported progress.
On motion,
The Council adjourned until 3 o'clock, P. M.

AFTERNOON SESSION.

The Council met pursuant to adjournment.
The committee appointed to wait on the secretary of the territory, asked leave to report,
Which was granted.
The communication from the secretary was accepted, and ordered to be filed with the papers of the Council.
On motion,
Messrs. Shannon and Blain, committee to contract for printing, were discharged.
Mr. McKean offered the following resolution:

Resolved, That a committee of two be appointed by the President to act with a like committee of the House, to make arrangements for the printing of the laws of this territory.

Which was adopted.
Messrs. McKean and Buck, committee on part of the Council.
On motion of Mr. Mealy,
The bill concerning marriages,
Was taken up, and
On motion,
The bill was read section by section.
A message from the House:

MR. PRESIDENT: I am instructed to inform you that the House have had under consideration, the memorial to the United States Congress, and have passed the same, with sundry amendments, and ask your concurrence therein.

On motion of Mr. Buck,
The bill concerning marriages,
Was ordered to be engrossed, and
Read a third time, to-morrow.
On motion,
The memorial to the United States Congress,
Was laid upon the table.
On motion,
The Council adjourned until 9 o'clock, A. M., to-morrow.

JULY 27, 1849, 9 A. M.

The Council met pursuant to adjournment.

Mr. Buck asked leave to present a petition to erect a breakwater near the head of the rapids, above Oregon City.

Leave was granted.

The committee to examine engrossed bills, reported that they had examined the bill concerning marriages, and find it correctly engrossed.

The report was accepted.

The memorial to Congress was taken up, and

On motion,

Was read a first time, and

On motion of Mr. Blain,

Resolved, That the Council do not concur in the amendments of the House, to the memorial to Congress.

Mr. Ford offered the following resolution:

Resolved, That a committee of two be appointed by the President to confer with a like committee from the House, to make the necessary amendments to the memorial to the Congress of the United States, and report to their respective Houses.

Whereupon, the President appointed Messrs. Ford and Blain said committee.

Mr. Blain offered the following resolution:

Resolved, That in the opinion of the Council, the amendments of the House should be amended by striking out "each actual settler" and insert "each American citizen above the age of eighteen years, now residing in this territory, and a less quantity to those under that age.

Which was adopted.

Mr. Blain offered the following resolution:

Resolved, That the road proposed in the memorial to the Congress of the United States, as a territorial road, from Astoria to Oregon City, may be changed to a military road from Astoria to Linn City.

Which was adopted.

Mr. Blain offered the following resolution:

Resolved, That the committee of conference on the part of the Council be instructed to adhere, in conference, to so much of the Council's memorial, as relates to land, and land claims, including those of school sections.

Which was adopted.

A message from the House:

MR. PRESIDENT: I am instructed to inform you that the House have appointed Messrs. King and Kinney a committee to act with the committee appointed by the Council, to make the necessary amendments to the memorial to the United States Congress.

Mr. Blain offered the following resolution:

Resolved, That that part of the memorial asking for a section of land, on which to build the capital, be stricken out.

Resolution not adopted,

A message from the House:

MR. PRESIDENT: I am instructed to inform you that the House have had under consideration the Council bill to establish the names of certain counties, and after making sundry amendments, passed the same.

Mr. McKean offered the following resolution:

Resolved, That one hundred and ninety thousand dollars be stricken out of the memorial to Congress, and that two hundred and twenty thousand dollars be inserted.

Which was lost.

Mr. Blain offered the following resolution:

Resolved, That the committee be instructed to adhere to the concluding paragraph of the Council's memorial.

Which was adopted.

The act concerning marriages,

Was read the third time, passed, and sent to the House.

On motion,

The Council adjourned until 3 o'clock, P. M.

AFTERNOON SESSION.

The Council met pursuant to adjournment.

The committee appointed to confer with the committee from the House, to make certain amendments to the memorial to Congress, asked leave to report.

Which was granted.

On motion,

The report was put to vote,

The yeas and nays being ordered, as follows:

Yeas—Messrs. Buck, Ford, Graves, Humphries, and Shannon—5.

Nays—Messrs. Blain, McKean Mealy and President—4.

The report was adopted.

A message from the House:

MR. PRESIDENT: I am instructed to inform you that the following resolutions have been adopted by the House:

Resolved, By the Council and House of Representatives of Oregon, that the Secretary of the treasury be, and is hereby authorized and required to receive and preserve in his office, all the records, papers, documents, and other things pertaining to the office of secretary of the late provisional government of Oregon.

Resolved, The Council concurring herein, that a committee of one from each House, be appointed to wait on the Governor, and inform him that the two Houses have agreed to adjourn from Saturday, the 28th instant, until the third Monday in August next, and that they are ready to receive any communication he may be pleased to make.

Resolved, The Council concurring herein, that the two Houses will meet in joint convention, in the hall of the House of Representatives at 5 o'clock, P. M., and proceed to elect an auditor for the territory.

MR. PRESIDENT: I am instructed to inform you that the House have adopted the report of the committee of conference, on the memorial to the United States Congress.

On motion,

The bill fixing the rates of toll for grinding,

Was read a third time, and passed, its title agreed to.

A message from the House:

MR. PRESIDENT: I am instructed to inform you that the House have had under consideration the bill authorizing the Governor to call elections to fill vacancies, and have passed the same, with sundry amendments.

On motion,

The Council concurred with the House.

On motion,

The bill to define the jurisdiction of supreme and district courts,

Was read a second time, and,

Ordered to its third reading to-morrow.

Mr. Blain offered the following resolution:

Resolved, That the chief clerk be directed to issue certificates to the members and officers of the Council, for the amounts of money due them, for their per diem allowance, and mileage, while in attendance in Council, up to the 28th instant.

Which was adopted.

On motion,

The Council concurred with the House, and adopted the bill authorizing the Governor to call elections to fill vacancies.

Mr. Buck offered the following resolution:

Resolved, That a committee of one be appointed by the Council, to act with a like committee from the House, to wait on the Governor, and inform him that the two Houses have agreed to adjourn on Saturday next, 28th instant, until the third Monday in August next, and that they are ready to receive any communication he may be pleased to make.

The foregoing resolution was adopted.

On motion,

The resolution from the House, requiring the joint committee of the two Houses to elect an auditor,

Was laid on the table.

On motion,

The Council adjourned until 8 o'clock, A. M. to-morrow.

JULY 28, 1849, 8 A. M.

The Council met pursuant to adjournment.

The President appointed Mr. Buck a committee to act with the committee from the House, to wait on the Governor.

On motion of Mr. Buck,

The committee on enrolled bills were called on to report.

The bill to change the name of certain counties, was called up, and put to vote,

"Whether the Council will accept the amendments of the House, on the bill," which vote was in the negative.

The committee appointed to wait on the Governor, reported that they had called on the Governor, who expressed his willingness to address the Council and House of Representatives, by audience, on to-day, or some future time.

The report was accepted.

On motion of Mr. Buck,

The President of the Council is instructed to communicate to the

Governor the readiness of the Council to receive any communication he may be pleased to make, on the reassembling of the two Houses, on the third Monday of August next.

The committee on enrolled bills asked leave to report,

Which was granted.

The committee reported that they had examined the bill of the memorial to Congress, and find it correctly enrolled.

Report of enrolling committee accepted.

The following resolution was received from the House:

Resolved, The Council concurring, that a committee of one from each House, be appointed, to inform the Governor that the two Houses meet in joint convention, at half-past 11 o'clock, A. M., and will be prepared to hear any communication he may desire to make.

On motion,

The Council does not concur with the House in this resolution.

The memorial to Congress, and the bill to authorize the Governor to call elections to fill vacancies, were sent to the House for the Speaker's signature.

On motion,

The following message was sent to the House:

MR. SPEAKER: I am instructed to inform you that the Council are now ready to adjourn.

On motion,

That the President be, and is hereby authorized to place the memorial to Congress, in the hands of our delegate, and request him to lay it before that body.

Which was adopted.

On motion of Mr. Ford,

The Council adjourned until the third Monday in August next, at 3 o'clock, P. M.

AUGUST 20, 1849, 3 P. M.

The Council met pursuant to adjournment.

On motion,

The Council went into an election for assistant clerk, to fill the vacancy caused by the resignation of A. A. Robinson.

Mr. Graves nominated James Clues, as assistant clerk.

When it appeared by vote that James Clues was duly elected assistant clerk.

Mr. Clues came forward and was duly sworn.

Mr. Blain gave notice that on to-morrow, he would introduce a bill to establish a system of common schools.

Mr. Buck asked leave to introduce a bill to prevent gaming,

Which was granted.

The bill was read the first time, and

Passed to its second reading to-morrow.

Mr. McKean gave notice that he would introduce the following bills to-morrow:

An act fixing the style of laws, and declaring the form of writs and processes of Oregon territory.

An act prescribing the manner of authenticating the acts of the legislative assembly of the territory of Oregon.

An act to provide for the election of justices of the peace, and constables.

An act defining the jurisdiction of justices of the peace in civil cases.

An act regulating the practice of justices of the peace.

An act defining the duties of constables.

An act concerning assault, battery and affrays.

An act concerning forcible entry and detainer.

An act concerning oaths and affirmations.

An act relative to promissory notes, bonds, bills, and other instruments in writing, and making them assignable.

Mr. Buck asked leave to introduce a bill to provide for the incorporation of scientific associations,

Which was granted.

The bill was read the first time, and

Passed to its third reading on some future day.

On motion,

The Council adjourned until 9 o'clock, A. M., to-morrow.

AUGUST 21, 1849, 9 A. M.

The Council met pursuant to adjournment.

The bill fixing the rates of toll for grinding, was sent to the House.

Mr. Blain presented a bill to establish a common school system,

Which was read the first time, and

Passed to its second reading on to-morrow.

Mr. McKean presented a bill fixing the style of laws, and declaratory of the form of writs and processes of Oregon territory.

Which was read a first time, and

Passed to its second reading on to-morrow.

Also, a bill prescribing the manner of authenticating the acts of of the legislative assembly of the territory of Oregon.

The bill was read the first time.

Passed to its second reading on to-morrow.
Also, a bill regulating the practice of justices of the peace,
Which was read a first time, and
Passed to its second reading on to-morrow.
On motion,
The Council adjourned until 3 o'clock, P. M.

AFTERNOON SESSION.

The Council met pursuant to adjournment.
The bill establishing a county commissioners court,
Was read a third time, and
The yeas and nays were ordered, as follows:

Yeas—Messrs. Blain, Buck, and McKean—3.

Nays—Messrs. Ford, Graves and President—3.
Absent—Messrs. Mealy, Humphries, Shannon.

The bill was lost.
Mr. Blain asked leave to introduce a bill to provide for the opening of the road through the Cascade mountains,
Leave was granted, and
The bill was read a first time, and
On motion,
The rules were suspended, and,
The bill was read a second time, and
Referred to the committee of the whole.
The Council resolved itself into committee of the whole on the bill to provide for the opening of the road through the Cascade mountains,
Mr. Graves in the Chair.
The committee of the whole rose, and reported that they had had under consideration a bill to open the road through the Cascade mountains, and asked leave to sit again.
On motion,
The Council adjourned until 9 o'clock, A. M., to-morrow.

AUGUST 22, 1849, 9 A. M.

The Council met pursuant to adjournment.
Mr. Buck offered the following resolution:

WHEREAS, Immigrants in great numbers are approaching the most difficult parts of the road, on the northern route to the Willamette

valley, and in all probability, the advance parties will soon enter the Cascade mountains, and whereas, the road from Barlow's gate to the settlements being, at best, exceedingly bad and difficult, is at this time greatly obstructed with logs and fallen timber, and, unless improved, must inevitably be the cause of great human suffering, and loss of property; and whereas, by the organic law, the legislative assembly are expressly prohibited from borrowing money, and the territory being at this time, without money in the treasury, therefore,

Resolved, by the Council and House of Representatives, That Captain Ingles, the Quartermaster at Fort Vancouver, be and he is most earnestly requested to furnish the means for the purpose of removing the obstructions, and improving said road.

Which was adopted.

The following message was sent to the House:

Mr. Speaker: The Council have had under consideration, the accompanying resolution, and have adopted the same, and send it to the House for concurrence.

On motion,

The Council went into committee of the whole on the bill to open the road through the Cascade mountains.

A message from the House:

Mr. President: You are hereby informed that the House have concurred in the resolution of the Council, concerning assistance to the emigrants.

On motion,

The committee of the whole rose, and reported progress.

On motion,

The rule requiring bills to be read on three several days, was suspended, and

The bill to provide for the opening of the road through the Cascade mountains,

Was read a third time, and

The yeas and nays were ordered, as follows:

Yeas—Messrs. Blain, Buck, Graves and McKean—4.

Nays—Messrs. Ford, Shannon and President—3.

Absent—Messrs. Mealy and Humphries.

On motion,

The Council adjourned until 3 o'clock, P. M.

AFTERNOON SESSION.

The Council met pursuant to adjournment.

The committee on enrolled bills reported that they had examined the bill for the opening of the road through the Cascade mountains, and find it correctly enrolled.

The report was accepted.

The bill, with the following message, was sent to the House:

MR. SPEAKER: I am instructed by the President to state to you that the Council have had under consideration an act to provide for the opening of the road through the Cascade mountains, have passed the same, and herewith send to the House, and ask your concurrence herewith.

The bill to prevent gaming,
Was read a second time, and
Ordered to its third reading to-morrow.

The bill to provide for the incorporation of scientific associations,
Was read a second time, and
Ordered to its third reading to-morrow.

The bill to establish a system of common schools,
Was read a second time, by its title, and
Referred to committee of the whole, to-morrow, at 3 o'clock, P. M.

The bill fixing the style of the laws of the territory of Oregon,
Was read a second time, and
Referred to committee of the whole.

The Council resolved itself into committee of the whole on the bill fixing the style of the laws of the territory of Oregon,
Mr. Shannon in the Chair.

The committee rose, and reported that they had had under consideration the bill fixing the style of laws of Oregon territory, have made sundry amendments, and report the same,
Which was accepted.

On motion,
The bill fixing the style of the laws of Oregon territory, was
Referred to the committee on the judiciary.

The bill prescribing the manner of authenticating the acts of the legislative assembly of Oregon territory,
Was read a second time, and
Referred to the committee on the judiciary.

The bill regulating the practice of justices of the peace,
Was read a second time, and
Laid on the table.

The bill respecting seed horses, came up in order, and when under discussion,

On motion,
The Council adjourned until 9 o'clock, A. M., to-morrow.

AUGUST 23, 1849, 9 A. M.

The Council met pursuant to adjournment.

The committee on the judiciary reported that they have had under consideration, a bill fixing the style of laws and declaratory of the form of writs and processes, of Oregon territory.

Also, a bill prescribing the manner of authenticating the acts of the legislative assembly of Oregon territory; have made sundry amendments to them, and ask leave to report the same.

The report was accepted.

On motion,

The vote, fixing 3 o'clock, to-day, as the time for the consideration of the bill to establish a system of common schools, was reconsidered.

On motion of Mr. Blain,

The bill to establish a system of common schools, is referred, to the committee of the whole, at 2 o'clock, P. M., to-day.

Mr. McKean offered the following resolution:

Resolved, That the interests of the territory of Oregon, as well as of the general government, demand the establishment of a navy yard at some eligible point in said territory, and, the House concurring therein, that our delegate to Congress be instructed to urge the subject on the attention of that body.

Which was adopted, and sent to the House.

Mr. Shannon asked leave to present a bill to provide for the collection of demands growing out of contracts for sales of improvements on public lands.

Which was granted.

The bill was read a first time, and

Ordered to its second reading to-morrow.

Mr. McKean presented a bill concerning assault, battery and affrays,

Which was read a first time, and

Ordered to its second reading to-morrow.

On motion of Mr. Ford,

The bill to organize a probate court,

Was taken up, and

On motion of Mr. Ford,

The bill was referred to a select committee, consisting of Messrs. Ford, Blain and McKean.

The bills referred to the committee on the judiciary, to-wit:

A bill prescribing the manner of authenticating the acts of the legislative assembly of Oregon territory,

And the bill fixing the style of the laws, and declaratory of the form of writs and processes of Oregon territory,

Were read a first time, and

On motion of Mr. McKean,

The rule requiring bills to be read on three several days, being dispensed with,

The bills were read a second time, and

Ordered to be engrossed.

On motion,

The Council went into committee of the whole on the bill regulating the practice of justices of the peace.

Mr. Blain in the Chair,

After spending some time, the committee rose, reported progress, and asked leave to sit again.

The report was accepted.

On motion,

The Council adjourned until 2 o'clock, P. M.

AFTERNOON SESSION.

The Council met pursuant to adjournment.

The President being absent,

Mr. McKean was appointed President *pro tem.*

On motion of Mr. Blain,

The Council went into committee of the whole on the bill to establish a system of common schools,

Mr. Graves in the Chair.

After spending some time, the committee rose, and reported that they had had under consideration the bill to establish a system of common schools, and reported progress.

On motion of Mr. Blain,

The bill to establish a system of common schools was referred to the committee on education.

On motion,

The Council adjourned until 9 o'clock, A. M. to-morrow.

AUGUST 24, 1849, 9 A. M.

The Council met pursuant to adjournment.

The committee on engrossed bills reported they had examined the bill prescribing the manner of authenticating the acts of the legislative assembly Oregon territory.

Also a bill fixing the style of the laws, and declaratory of the form of writs and processes of Oregon territory, and find them correctly engrossed.

The report was accepted.

Mr. McKean asked leave to introduce a bill, protecting claimants in land claims.

Which was granted.

The bill was read a first time, and

Ordered to its second reading to-morrow.

A message from the House:

MR. PRESIDENT: I am instructed to inform you that the House have had under consideration a bill to provide for settling Cayuse war claims, have passed the same, and ask the concurrence of the Council.

The bill to provide for settling Cayuse war claims,

Was read a first time, and

Passed to a second reading to-morrow.

The following resolution was received from the House:

Resolved, That a committee of two be appointed by the House, to act in conjunction with a like committee to be appointed by the Council, to inquire into, and report the best plan for the safe and sure expenditure of money contributed to improve the road through the Cascade mountains.

Committee—Messrs. Holmes and Matlock.

On motion of Mr. Buck,

The resolution was laid on the table.

On motion of Mr. Blain,

The bill to change the name of Tualitin county,

Was taken up, and

On motion,

The bill was referred to a corresponding committee of the two Houses, consisting of Messrs. Blain and Shannon on the part of the Council.

The following message was sent to the House:

MR. SPEAKER: The Council have had under consideration the bill to change the name of Tualitin county, and do not concur with the House, and have referred it to a committee of conference of the two Houses, and ask the concurrence of the House therewith.

On motion of Mr. Blain,

The bill to provide for the incorporation of scientific associations,

Was read the third time, and ordered to its final passage.

On motion of Mr. Ford,

The yeas and nays were ordered, as follows:

Yeas—Messrs. Blain, Buck, Mealy and Shannon—4.

Nays—Messrs. Ford, Graves, McKean and President—4.

Absent—Mr. Humphries.

The bill was lost.

On motion of Mr. Ford,
The Council adjourned until 3 o'clock, P. M.

AFTERNOON SESSION.

The Council met pursuant to adjournment.

The committee to whom was referred the bill to incorporate an academy in Tualitin county, asked leave to report that they had had under consideration the bill to incorporate an academy in Tualitin county, have made sundry amendments thereto, and report the same.

The report was accepted.

On motion of Mr. Blain,

The Council went into committee of the whole upon the bill to incorporate an academy in Tualitin county,

Mr. Mealy in the Chair.

The committee of the whole after spending some time, rose, and reported that they had had under consideration a bill to incorporate an academy in Tuality county, have made sundry amendments thereto, and ask leave to report.

The report was accepted.

On motion of Mr. Buck,

The bill to incorporate an academy Tuality county,

Was ordered to be enrolled, and

Read a third time to-morrow.

On motion of Mr. McKean,

An act fixing the stye of the laws, and declaratory of the forms of writs and processes of Oregon territory,

Was read the third time, and passed, and the title agreed to.

On motion of Mr. McKean,

An act prescribing the manner of authenticating the acts of the legislative assembly of Oregon territory,

Was read the third time, and passed, and its title agreed to.

On motion,

The Council adjourned until 9 o'clock, A. M., to-morrow.

AUGUST 25, 1849, 9 A. M.

The Council met pursuant to adjournment.

The following message with the bills named therein, was sent to the House:

MR. SPEAKER: The Council have had under consideration,

A bill fixing the style of laws, and declaratory of the form of writs and processes of Oregon territory,

Also, a bill prescribing the manner of authenticating the acts of the legislative assembly of Oregon territory, have passed the same, and herewith send them to the House, and ask your concurrence therewith.

The following message was received from the House:

MR. PRESIDENT: The Speaker of the House has appointed Messrs. Hill and Burch a committee of conference on the bill to change the name of Tualitin county.

The committee on engrossed bills, reported that they had examined the bill to establish an academy in Tualitin county and find it truly engrossed.

The report was accepted.

The committee on education reported that they had had under consideration the bill to establish a system of common schools, have made sundry amendments thereto, and ask leave to report the same.

The report was accepted.

A bill to divorce Samuel F. Staggs from his wife, Mary Ann, was received from the House.

Which was read a first time.

Also, a petition and affidavits of Samuel F. Staggs, applicant for divorce,

Which were read a first time, and

On motion of Mr. Buck,

Referred to the committee on the judiciary.

Mr. Buck gave notice that on Monday next, he would introduce a bill to incorporate a female seminary in Clackamas county.

Mr. Shannon asked leave to introduce a bill to locate the county seat of Champoeg county,

Which was granted.

The bill was read the first time, and

Ordered to its second reading to-morrow.

The resolution from the House was taken up, and read, and the following note sent to the House:

MR. SPEAKER: I am instructed by the President to say that the Council do not concur with the House in inquiring into the proper disposition of the funds appropriated for the purpose of opening the road through the Cascade mountains.

The House bill to provide for settling Cayuse war claims,

Was read a second time, and,

On motion of Mr. McKean,

The Council went into committee of the whole on the bill to provide for settling Cayuse war claims,

Mr. Blain in the Chair.

After spending some time, the committee rose, and reported that

they had had under consideration the bill to provide for settling Cayuse war claims, have made sundry amendments thereto, and ask leave to report the same.

The report was accepted.

On motion of Mr. Ford,

The bill to provide for settling Cayuse war claims,

Was ordered to be engrossed, and——

Read a third time.

On motion of Mr. Blain,

The vote passing the reading of the House bill to define the jurisdiction of the supreme and district courts, a second time by its title,

Was reconsidered; and

On motion of Mr. Blain,

The bill was referred to the committee of the whole on Monday next.

The bill from the House, regulating seed horses,

Was taken up, and

On motion of Mr. Ford,

The bill was laid on the table until Monday next.

A message from the House:

Mr. President: I am instructed to inform you that the House have under consideration, bills of the following titles, to-wit:

A bill to open and repair roads and highways,

A bill to regulate ferries,

A bill to establish county and probate courts,

A bill to regulate bowling alleys,

A bill to locate the county seat of Tualitin county,

A bill to provide to settle Cayuse war claims,

A bill to enact, and cause to be published, a code of laws,

A bill to prevent injuries to the possession of settlers on public lands,

A bill to postpone holding the district courts in the second judicial district.

A bill to provide for the destruction of certain wild animals,

A bill to divorce Samuel Staggs from his wife, Mary Ann.

A bill relative to pleas in abatement,

A bill concerning apprentices, &c.,

A bill concerning amendments and jeoffails,

A bill concerning arbitrators and referrees,

A bill authorizing the legislative assembly to punish for contempt, and to privilege members from arrest,

A bill to regulate the admission of attorneys,

A bill allowing and regulating writs of attachment,

A bill providing for appointment of auditor of public accounts, and regulating the duties of territorial treasurer.

A bill concerning bail,

A bill concerning boats and vessels,

A bill in relation to bonds, &c.,
A bill concerning chancery,
A bill to provide for the election of constables, and defining their duties,
A bill regulating criminal proceedings,
A bill relative to coroners and their duties,
A bill to provide for the support of illegitimate children,
A bill for the relief of certain carriers.
A bill to regulate conveyances,
A bill in relation to the safe custody of persons arrested for crimes and misdemeanors,
A bill concerning costs and fees,
A bill concerning depositions,
A bill to abolish imprisonment for debt,
A bill to prevent injury by dogs,
A bill relative to divorce and alimony,
A bill relative to foreign executors,
A bill providing for and regulating general elections,
A bill for organizing townships,
A bill to provide for the annual organization of the Council and House of Representatives,
A bill to allow and regulate the action of ejectment,
A bill to authorize evidence by the oath of parties,
A bill in reference to fugitives from justice from other States.
A bill to prevent fraud,
A bill to prevent and punish gaming,
A bill relative to *habeas corpus*,
A bill concerning insane persons,
A bill in reference to intoxicating liquors,
A bill regulating interest on money,
A bill for preventing certain immoral practices,
A bill relating to grand and petit jurors,
A bill relating to foreign jurisdiction,
A bill to provide for the election of justices of the peace, and regulating their duties,
A bill relating to landlords and tenants,
A bill relating to librarian,
A bill relative to mechanic's liens,
A bill relative to criminal prosecution,
A bill in relation to limitation of actions, and avoiding vexatious law suits,
A bill in reference to the militia,
A bill concerning minors, orphans, &c.,
A bill regulating marriages,
A bill regulating mills and millers,
A bill concerning mortgages,
A bill regulating writs, *ne exeat*, and injunction,
A bill relative to notaries public,
A bill relating to promissory notes, bonds, &c.,

A bill concerning oaths and affidavits,
A bill to collect demands for sales of improvements on public lands,
A bill relative to the partition of real property,
A bill regulating practice in district courts,
A bill relative to limited partnerships,
A bill establishing the prices of public printing,
A bill relative to quo warranto, &c.,
A bill relative to the action of right,
A bill regulating the action of replevin,
A bill relating to religious societies,
A bill relating to recorder of deeds,
A bill concerning debtors and their securities,
A bill in reference to securities,
A bill for the relief of securities in certain cases,
A bill concerning the construction of statutes,
A bill for the appointment of sheriffs,
A bill defining the duties of county surveyors,
A bill to provide for recording town plats,
A bill relating to the appointment of territorial treasurer,
A bill relating to the election of county treasurer's, and their duties,
A bill in reference to lawful fences, &c.,
A bill for the organization of townships,
A bill relating to venders of unwholesome provisions and liquors,
A bill relating to venue in civil and criminal cases,
A bill in relation to the action of waste,
A bill concerning water-crafts found adrift, lost goods, and estray animals,
A bill to regulate weights and measures,
A bill to preserve order in worshiping congregations,
A bill relative to the probate of wills, &c.,
A bill to provide for holding a special term of the supreme court,

On motion of Mr. Ford,
That the communication lie on the table until the first Monday in December next.

The yeas and nays were called for, as follows:

Yeas—Messrs. Blain, Ford, Graves, Mealy, McKean, Shannon and President—7.

Nays—Mr. Buck—1.

Absent—Mr. Humphries.

Which was adopted.
On motion,
The Council adjourned until 9 o'clock Monday morning.

AUGUST 27, 9 o'clock, A. M.

The Council met pursuant to adjournment.

The committee on engrossed bills reported that they had examined the bill to provide for settling Cayuse war claims, and find them correctly engrossed.

Mr. Graves gave notice, that on to-morrow he would introduce a bill to organize, discipline and govern the militia of this territory.

The bill to protect claimants in land claims,

Was taken up, and

Was read a second time.

On motion of Mr. McKean,

The Council went into committee of the whole on the bill to protect claimants in land claims,

Mr. Graves in the Chair.

After spending some time, the committee rose and reported progress.

The report of the committee was accepted.

On motion of Mr. Buck,

The bill to protect claimants in land claims,

Was laid on the table.

The bill to provide for the collection of demands growing out of contracts for sales of improvements on public lands,

Was read the second time, and

On motion of Mr. McKean,

Was laid on on the table.

The bill concerning assault, battery and affrays,

Was read a second time, and

On motion of Mr. Shannon,

The Council went into committee of the whole on the bill concerning assault, battery and affrays.

After spending some time, the committee rose, and reported progress.

The report was accepted.

On motion of Mr. Buck,

The bill concerning assault, battery and affrays,

Was referred to a select committee, consisting of Messrs. Buck and McKean.

On motion of Mr. Ford,

The President was added to that committee.

Mr Buck asked permission to take a copy of the bill to provide for the incorporation of scientific associations, for discretionary purposes, and

On motion of Mr. McKean,

Permission was granted.

On motion of Mr. McKean,

The bill to provide for settling Cayuse war claims,

Was read a third time, and
On motion of Mr. McKean,
The bill was amended by ryder.
On motion of Mr. Buck,
The rule requiring bills to be read on three several days, was dispensed with, and the ryder was read three several times, and made a part of the bill.

The bill, as amended, was passed, and ordered to be returned to the House.

The House bill respecting seed horses,
Was taken up, and
On motion of Mr. Shannon,
Was referred to a select committee, consisting of Messrs. Shannon, Graves and Ford.
On motion,
The Council adjourned until 3 o'clock, P. M.

AFTERNOON SESSION.

The Council met pursuant to adjournment.
The following note, with the bill alluded to, was sent to the House.

Mr. Speaker: The Council have had under consideration the House bill to provide for settling Cayuse war claims, have made sundry amendments thereto, and passed the same as amended, and herewith send to the House, and ask your concurrence therewith.

Mr. McKean asked leave to introduce a bill concerning divorces,
Which was granted.
The bill was read a first time, and
Passed to a second reading.
Mr. McKean asked leave to introduce a bill relative to promissory notes, bonds, due bills, and other instruments in writing, and making them assignable,
Which was granted, and
The bill was read a first time, and
Passed to its second reading.
The following note was received from the House:

Mr. President: I am instructed to inform you that the House have had under consideration the accompanying bill, have passed the same, and ask your concurrence.

Also, the House bill to provide for holding a special term of the supreme court, and to appoint the time of the annual session of the same, was read a first time, and ordered to its second reading.

Mr. Buck introduced a bill to establish a female seminary in Clackamas county,

Which was read a first time, and
Passed to its second reading.

Mr. Buck asked leave to introduce a bill to locate the seat of government,

Which was granted.

The bill was read a first time, and

Passed to its second reading.

The committee on education reported, by reading the amendments made by them to the bill to establish a system of common schools.

The report was accepted, and

The amendments were added as a part of the bill.

On motion of Mr. McKean,

The bill to establish a system of common schools,

Was ordered to be engrossed.

The committee to whom was referred the bill respecting seed horses, asked leave to report,

Which was granted.

The committee reported that they had had under consideration the bill respecting seed horses, have made sundry amendments thereto, and ask leave to report the same.

The report was accepted, and

The bill was read a second time, and

On motion of Mr. Buck,

The rule requiring bills to be read on three several days, being dispensed with,

The bill was read a third time, and passed, as amended.

On motion,

The Council adjourned until 9 o'clock, A. M., to-morrow.

AUGUST 28, 1849, 9 A. M.

The Council met pursuant to adjournment.

The following message was sent to the House:

MR. SPEAKER: The Council have had under consideration the House bill respecting seed horses, have made sundry amendments thereto, and ask your concurrence.

The committee on the judiciary reported that they had had under consideration a bill to divorce Samuel F. Staggs from his wife Mary Ann, and beg leave to report it back to the Council, without amendment.

The report was accepted.

The committee on engrossed bills reported that they had examined the bill to locate the county seat of Champoeg county, and find it truly engrossed.

The report was accepted.

Mr. Graves introduced a bill to organize, discipline and govern the militia of this territory.

The bill concerning divorces,

Was read a second time, and

On motion of Mr. Blain,

The Council went into committee of the whole on the bill.

Mr. Mealy in the Chair.

After spending some time, the committee of the whole rose and reported that they had had under consideration the bill concerning divorces, have made sundry amendments, and ask leave to report the same.

The report of the committee was accepted.

On motion of Mr. Buck,

The bill concerning divorces, was referred to the committee on the judiciary.

The bill relative to bonds, bills, notes, or other instruments of writing,

Was taken up, and

The bill read a second time, and

On motion of Mr. Ford,

The bill was ordered to lie on the table, subject to the order of the Council.

On motion,

The Council adjourned until 3 o'clock, P. M.

AFTERNOON SESSION.

The Council met pursuant to adjournment.

The bill to establish a female seminary in Clackamas county,

Was taken up, and

Passed to its second reading.

On motion of Mr. Shannon:

The Council went into committee of the whole upon the bill to establish a female seminary in Clackamas county,

Mr. McKean in the Chair.

After spending some time, the committee rose, and reported progress.

The report was accepted, and

The bill to incorporate a female seminary in Clackamas county,

Was laid on the table, subject to the order of the Council.

The bill to locate the seat of government,

Was read a second time, and

On motion of Mr. Shannon,

The bill was laid on the table, subject to order of the Council.

The bill to provide for holding a special term of the supreme court, and to appoint the time of the annual session of the same,

Was read a second time, and
On motion of Mr. Ford,,
The rule requiring bills to be read on three several days, was dispensed with, and
The bill was read the third time, and passed, by striking out the second section of the same, and sent to the House, with the following note:

MR. SPEAKER: The Council have had under consideration the House bill to provide for holding a special term of the supreme court, have amended it by striking out the second section of the same, and ask your concurrence.

The bill to organize, govern and discipline the militia of this territory,
Was read a first time by its title, and
Ordered to its second reading.
The bill to locate the county seat of Champoeg county,
Was taken up, and
The bill was read the third time, passed, and its title agreed to.
The following note was sent to the House:

MR. SPEAKER: The Council have had under consideration, the accompanying bill, have passed the same, and ask your concurrence.

The bill to prevent gaming,
Was taken up, and
On motion of Mr. McKean,
Was laid on the table.
On motion,
The Council adjourned until 9 o'clock, A. M., to-morrow.

AUGUST 29, 1849, 9 A. M.

The Council met pursuant to adjournment.
The Committee on the judiciary reported that they had had under consideration the bill concerning divorces, have amended the same by striking out of the second section, the words "habitual drunkeness" and retaining in said bill the whole of the eighth section.
The report was accepted.
The committee on engrossed bills reported they had examined the bill to establish a system of common schools, and find it truly engrossed.
The report was accepted.
Mr. Buck gave notice that he would introduce a bill to incorporate Oregon City.

Mr. Ford asked leave to introduce a bill to establish the seat of justice of Polk county,
Which was granted.
The bill was read the first time, and
Passed to its second reading.
The bill to organize, discipline and regulate the militia of this territory,
Was taken up, and
On motion of Mr. McKean,
Was read a second time, and
On motion of Mr. Buck,
The bill was referred back to the committee on the militia.
A message from the House:

MR. PRESIDENT: You are hereby informed that the House have had under consideration the bill to provide for holding a special term of the supreme court, have concurred in the amendments of the Council, and the Speaker has signed the same, and herewith send it for your signature.

The bill was signed by the President of the Council, and filed.
The bill to incorporate an academy in Tualitin county,
Was read a third time, and
Passed, and the title agreed to.
The following message was sent to the House:

MR. SPEAKER: The Council have had under consideration the bill herewith sent, to establish an academy in Tualitin county, have passed the same, and ask your concurrence therewith.

The bill to establish a system of common schools, as enrolled, was read for the information of the Council.
On motion,
The Council adjourned until 2 o'clock, P. M.

AFTERNOON SESSION.

The Council met pursuant to adjournment.

The bill to establish a system of common schools,
Was read a third time, and
The yeas and nays were ordered, as follows:

Yeas—Messrs. Blain, Buck, Ford, Graves, Mealy and Shannon—6.

Nays—Messrs. McKean and President—2.

Absent—Mr. Humphries.

The bill was passed.

The corresponding committee between the two Houses asked leave to report,

Which was granted.

The committee reported that they had had under consideration the bill to change the name of Tualitin county, and agreed to recommend to the two Houses the adoption of the bill to change the name of Tualitin county to Washington; also, the adoption of a bill to change the name of Vancouver county to that of Clark; and also, the adoption of a bill to change the name of Champoeg county to that of Marion.

The report was accepted.

The House bill to divorce Samuel F. Staggs from his wife, Mary Ann,

Was taken up, and

Was read a second time, and

On motion of Mr. Blain,

The bill was indefinitely postponed,

The yeas and nays being ordered, as follows:

Yeas—Messrs. Blain, Buck, Mealy, McKean and Shannon—5.

Nays—Messrs. Ford, Graves and President—3.

The following message was sent to the House:

MR. SPEAKER: The Council have had under consideration the bill establishing a system of common schools, have passed the same, and herewith send it to the House, and ask your concurrence.

The following message was sent to the House:

MR. SPEAKER: I am instructed to inform you that the Council have had under consideration the House bill, to divorce Samuel F. Staggs from his wife Mary Ann, and have indefinitely postponed the same.

The bill concerning divorces,

Was taken up, and

Read a third time, and on its final passage,

The yeas and nays were ordered, as follows:

Yeas—Messrs. Ford, Graves, McKean and Shannon—4.

Nays—Messrs. Blain, Buck, Mealy and President—4.

Absent—Mr. Humphries.

The bill was lost.

Mr. Ford asked leave to introduce a bill to establish a probate court,

Which was granted.

The bill was read a first time, and
Ordered to its second reading.
On motion,
The Council adjourned until 9 o'clock, A. M., to-morrow.

AUGUST 30, 1849, 3 P. M.

The Council met pursuant to adjournment.
The joint committee on printing asked leave to report,
Which was granted.
The report was read, and
Laid on the table.
The bill to establish a probate court,
Was read a second time, and
On motion,
The Council went into committee of the whole on the bill to establish a probate court,
Mr. Shannon in the Chair.
After spending some time, the committee rose, and reported progress.
On motion of Mr. Mealy,
The bill to establish a probate court,
Was laid on the table, subject to the order of the Council.
A message from the House:

MR. PRESIDENT: I am instructed to inform you that the House have had under consideration the Council bill, fixing the style of the laws, and declaratory of the form of writs and processes of Oregon territory, have amended the same by striking out all after the words, Section 1st, *Be it enacted by the Legislative Assembly of the Territory of Oregon.*

The yeas and nays being called for, on the question to concur, were as follows:

Yeas—Messrs. Buck, Ford, Graves and Mealy—4.

Nays—Messrs. Blain, McKean, Shannon and President—4.

Absent—Mr. Humphries.

The Council did not concur with the House, and
On motion,
The Council appointed a committee of conference on the bill.
Committee—Messrs. Blain and Ford.

A message from the House:

MR. PRESIDENT: The House have had under consideration the accompanying bill, entitled "an act to locate the county seat of Tualitin county," have passed the same, and send herewith, asking your concurrence therein.

The House bill to locate the county seat of Tualitin county,
Was read a first time, and
Passed to its second reading.

The Council went into committee of the whole on the House bill to define the jurisdiction of the supreme and district courts,
Mr. Blain in the Chair.

After spending some time, the committee rose, and reported that they had had under consideration the House bill to define the jurisdiction of the supreme and district courts, and report it back to the House, without amendment,
Which was accepted.

The House bill to define the jurisdiction of supreme and district courts, was
Ordered to its third reading to-morrow.

Mr. Blain offered the following resolution:

Resolved, The House concurring, that the joint committee on printing, be instructed to procure the printing of the rules of each House, and the joint rules of both Houses, as soon as practicable.

Which was adopted.

Mr. Mealy asked leave to introduce a bill to provide against danger of malicious cattle.
Leave was granted, and
The bill was read a first time, and
Passed to its second reading.

The following messages, were sent to the House:

MR. SPEAKER: The Council have accepted the report of the corresponding committee of the two Houses, to change the names of Tualitin, Vancouver and Champoeg counties, and ask your concurrence.

MR. SPEAKER: The Council do not concur in the amendments made by the House, in the Council bill fixing the style of the laws, and declaratory of the form of writs and processes of Oregon territory, and have appointed a committee of two to act with a like committee on the part of the House, to confer and report.
Committee—Messrs. Blain and Ford.

The bill to locate the county seat of Polk county,
Was read a second time, and
Ordered to be engrossed.

On motion,
The bill to establish a female seminary in Clackamas county,
Was taken up, and
On motion of Mr. McKean,
The bill was referred to a select committee, consisting of Messrs. McKean and Buck.
On motion,
The Council adjourned until 3 o'clock, P. M.

AFTERNOON SESSION.

The Council met pursuant to adjournment.
On motion of Mr. Ford,
The bill to establish a probate court,
Was taken up and
On motion,
The bill to establish a probate court,
Was referred to a select committee.
On motion of Mr. Buck,
Messrs. Ford, Shannon and President, were appointed said committee.
On motion of Mr. Blain,
A former bill of the same tenure, was placed before said committee.
Mr. McKean asked leave to introduce a bill to define the jurisdiction of justices of the peace.
Which was granted.
The bill was read a first time, and
Ordered to its second reading.
Mr. McKean asked leave to introduce a bill concerning oaths and affirmations.
Which was granted,
Which was read a first time, and
Passed to its second reading.
On motion,
The Council adjourned until 9 o'clock, A. M. to-morrow.

AUGUST 31, 1849, 9 A. M.

The Council met pursuant to adjournment.
Mr. Buck moved that the Council send for absent members,
Which was adopted.
Mr. Ford moved that the chief clerk be instructed to issue a writ to that effect,
Which was adopted.

The following note was received from the House:

MR. PRESIDENT: I am instructed to inform you that the House have had under consideration the bill, entitled, "a bill to locate the seat of government," have passed the same, and send it to you for concurrence.

The question was, "shall the House bill to locate the seat of government, be read?"

Bill not read.

A message from the House:

MR. PRESIDENT: I am instructed to inform you that the House have concurrred in your amendments to the House bill, entitled, "a bill to provide for settling the Cayuse war claims, and passed the same.

Mr. McKean, from the committee to whom was referred the bill to establish a female seminary in Clackamas county, reported the bill back to the Council, with amendments.

The report was accepted, and the amendments adopted.

Mr. Blain moved that the bill be engrossed, with the amendments, and read for the information of the Council, to-morrow.

Which was adopted.

The committee on engrossed bills reported that they had examined the bill to locate the seat of justice of Polk county, and find it truly engrossed.

The report was accepted.

The bill to locate the seat of justice of Polk county,

Read a third time.

On motion of Mr. Ford,

The bill was amended by ryder, by striking out "three dollars per day," and inserting "five dollars per day."

When the bill, on vote, passed, the title agreed to, and sent to the House, with the following note:

MR. SPEAKER: The Council have had under consideration the bill to establish the seat of justice of Polk county, have passed the same, and send to the House, and ask your concurrence.

The House bill to define the jurisdiction of the supreme and district courts,

Was read the third time.

Mr. Ford offered an amendment, by way of ryder, to the second section of the same, and

On motion of Mr. Ford,

The rule requiring bills to be read on three several days, being suspended, the ryder was read a first and second times, and the bill was amended, and

The following message was sent to the House:

MR. SPEAKER: The Council have had under consideration the House bill to define the jurisdiction of the supreme and district courts, have made sundry amendments, and herewith send to the House, and ask your concurrence.

The bill concerning oaths and affirmations,
Was read a second time, and
On motion of Mr. Blain,
The Council resolved itself into committee of the whole on the bill.

The committee of the whole after spending some time, rose, and reported that they had had under consideration a bill concerning oaths and affirmations, have made sundry amendments thereto, and report the same.

The report was accepted.
The bill was ordered to be engrossed, and
Read a third time.
The bill to define the jurisdiction of justices of the peace,
Was read a second time, and
Referred to the committee on the judiciary.
On motion of Mr. McKean,
The bill regulating the practice of justices of the peace,
Was taken up, and
On motion,
Referred to the committee on the judiciary.

Mr. Ford moved that Mr. McKean be attached to the committee on the judiciary, on this special occasion,
Which was adopted.
The bill to provide against danger of malicious cattle,
Was read a second time, and
On motion of Mr. Buck,
The Council went into committee of the whole on the bill.

After spending some time, the committee rose and reported progress and amendments.
The report was accepted.
On motion of Mr. Buck,
The bill was ordered to be engrossed, and
Read a third time.
On motion,
The Council adjourned until 3 o'clock, P. M.

AFTERNOON SESSION.

The Council met pursuant to adjournment.

Mr. Buck moved that the report of the corresponding committee of the two Houses, on the bill to change the name of Tualitin county, be adopted,

Which motion was carried, and the report adopted.

The bill to change the name of Champoeg county,

Was read a first time, and

Passed to a second reading.

The bill to change the name of Vancouver county,

Was read a first time, and

Passed to a second reading.

The bill to change the name of Tualitin county,

Was read the third time, and passed, and its title agreed to.

On motion,

The rule requiring bills to be read on three several days, was suspended, and

The bill to change the name of Champoeg county,

Was read a second time, and,

Ordered to its third reading.

The House bill to locate the county seat of Tualitin county,

Was read a second time.

On motion,

The rule requiring bills to be read on three several days, being dispensed with, and

The bill to locate the county seat of Tualitin county,

Was read a third time, and passed.

The committee on engrossed bills reported that they had examined the following bills, to-wit:

An act to establish a female seminary in Clackamas county, and

A bill to provide against dangerous and vicious cattle, and find them truly engrossed.

On motion,

The Council adjourned until 9 o'clock, A. M., to-morrow.

SEPTEMBER 1, 1849, 9 A. M.

The Council met pursuant to adjournment.

The President informed the Council that Mr. Buck asked leave of absence.

On motion,

Leave was granted.

The following message was received from the House:

MR. PRESIDENT: The House have had under consideration the accompanying bill, to establish the price of public printing, have passed the same, and send herewith for your concurrence.

The following message was sent to the House:

MR. SPEAKER: The Council have had under consideration, the following named and accompanying bills to-wit:

A bill to change the name of Tualitin county, and

The House bill to locate the county seat of Tualitin county, have passed the same, and ask your concurrence.

The select committee to whom was referred the bill to establish a probate court, and define the duties thereof, report that they have made sundry amendments, and ask leave to report.

The report was accepted.

The committee on engrossed bills, reported that they had examined the bill concerning oaths and affirmations, and find them truly engrossed.

The report was accepted.

The House bill to establish the price of public printing,

Was read a first time, and

Passed to its second reading.

On motion of Mr. Blain,

The rule requiring bills to be read on three several days was suspended, and

The House bill to establish the price of public printing,

Was read the second time, and

On motion of Mr. Blain,

Referred to the committee on the judiciary.

The bill to establish a probate court, and define its duties and powers, was read for the information of the Council.

On motion of Mr. Shannon,

The Council resolved itself into committee of the whole on the report of the select committee, on the amendments to the bill to establish a probate court, and define its duties and powers.

Also, a bill to authorize and empower probate courts to transact county business, which was read two several times, and

Ordered to be engrossed.

After spending some time, the committee rose, and reported progress.

On motion of Mr. McKean,

The bills were ordered to be engrossed, and

Read a third time.

On motion,

The Council adjourned until 3 o'clock, P. M.

AFTERNOON SESSION.

The Council met pursuant to adjournment.

Mr. Ford asked leave of absence for Samuel Kinney, doorkeeper, until Monday, 3 o'clock, P. M.,

Which was granted, and

On motion of Mr. Blain,

The Council adjourned until 9 o'clock Monday morning.

SEPTEMBER 3, 1849, 9 o'clock, A. M.

The Council met pursuant to adjournment.

The committee on the judiciary reported that they had had under consideration an act regulating the practice of justices of the peace, have made sundry amendments, and report the same.

The report was accepted.

The committee on engrossed bills reported that they had examined the bill to establish a probate court, and define its duties; also, a bill to authorize and empower the probate court to do county business, and find them truly engrossed.

The report was accepted.

Mr. McKean asked leave to introduce a bill on forcible entry and detainer,

Which was granted.

The bill was read a first time, and

Passed to its second reading.

The following message was received from the House:

MR. PRESIDENT: The House have had under consideration a bill to prevent injuries to settlers on public lands, have passed the same, and send herewith for the concurrence of the Council.

On motion,

The House bill to prevent injuries to settlers on public lands,

Was read the first time, and

Ordered to its second reading.

The bill to establish a probate court, and define its duties and powers, was read for the information of the Council.

On motion of Mr. Blain,

The bill to establish a probate court, and define its duties and powers,

Was read the third time, and passed, and the title agreed to.

The bill to authorize probate courts to transact county business,

Was read a second time, and

On motion of Mr. Ford,

The rule requiring bills to be read on three several days, was suspended, and

The bill was read a third time, and its title agreed to.

The following message was received from the House:

MR. PRESIDENT: The House have passed the following resolution:

Resolved, The Council concurring, that the joint rules of both Houses, and the Governor's message be handed to George Abernethy, on to-morrow, and he be requested to have printed, forthwith, for the use of the two Houses, one hundred copies of the joint rules, and one thousand copies of the message.

The following message was sent to the House:

MR. SPEAKER: I am instructed by the President to state to you that the Council have had under consideration the House resolution, to provide for the printing of one hundred copies of the joint rules of both Houses, and one thousand copies of the Governor's message, and have amended it by striking out one hundred copies of the joint rules, and inserting fifty copies of the rules of each House, and the joint rules of both Houses, and ask your concurrence.

The bill to change the name of Champoeg county,
Was read a third time, passed, and its title agreed to.
The bill concerning oaths and affirmations,
Was read the third time, passed, and its title agreed to.
The bill to provide against dangerous and vicious cattle,
Was read the third time, passed, and its title agreed to.
The following message was sent to the House:

MR. SPEAKER: The Council have had under consideration the following named bills:

No. 26. A bill to establish a probate court, and define its duties and powers.

No. 27. A bill to provide against dangerous and vicious cattle.

No. 31. An act to change the name of Champoeg county.

No. 29. A bill concerning oaths and affirmations.

No. 33. An act to authorize and empower the probate courts to transact county business, have passed the same, and herewith send to the House, and ask your concurrence.

The following message was received from the House:

MR. PRESIDENT: The House concurs in the amendments of the Council to the resolution in reference to the printing of the rules of the two Houses.

The bill regulating the practice of justices of the peace, as reported from the committee on the judiciary, came up on its third reading, and

On motion of Mr. McKean,

The Council went into committee of the whole upon the bill.

After spending some time, the committee rose, and asked leave to sit again.

On motion,

The Council adjourned until 3 o'clock, P. M.

AFTERNOON SESSION.

The Council met pursuant to adjournment.

The bill to establish a female academy in Clackamas county, was called up, and read for the satisfaction of the Council.

On motion,
The bill to establish a female seminary in Clackamas county,
Was read a third time, passed, and its title agreed to.
The following message was sent to the House:

MR. SPEAKER: The Council have had under consideration the accompanying bill, to establish a female academy in Clackamas county, have passed the same, and ask your concurrence.

On motion of Mr. McKean,
The Council resumed its sitting in committee of the whole on the bill to regulate the practice of justices of the peace.
After spending some time, the committee rose, and reported progress.
The report was accepted, and
On motion of Mr. Buck,
The bill to regulate the practice of justices of the peace,
Was laid on the table, subject to the order of the Council.
On motion of Mr. McKean,
The Council went into committee of the whole on the bill relative to promissory notes, bonds, bills, due-bills, &c.
After spending some time, the committee rose, and reported that, instead of the bill under consideration, they have recommended the adoption of the statutes of Iowa, on the same subject.
The report of the committee was accepted.
On motion of Mr. Buck,
The bill on promissory notes, &c., from the statutes of Iowa,
Was ordered to be engrossed, and
Read a third time.
On motion of Mr. McKean,
The bill to change the name of Vancouver county,
Was taken up, and
On motion,
The rule requiring bills to be read on three several days, was suspended, and
The bill was read the third time, passed, and its title agreed to.
The following message was sent to the House:

MR. SPEAKER: The Council have had under consideration a bill to change the name of Vancouver county, have passed the same, and herewith send for your concurrence.

On motion,
The Council adjourned until 9 o'clock, A. M., to-morrow.

SEPTEMBER 4, 1849, 9 A. M.

The Council met pursuant to adjournment.
The engrossing clerk asked leave to withdraw his services as assistant clerk of the Council.

Leave was granted, and he was discharged.

The committee on the judiciary reported.

The committee to whom was referred the bill establishing the price of public printing, have had the same under consideration, and ask leave to report, that from the best information they have been able to obtain, the prices for printing fixed by this act, would amount to a sum far beyond the appropriations made by Congress for that purpose. In view of that fact, they would recommend the legislative assembly to defer the passage of the act fixing the prices of printing of the laws and journals for the present, and make provision for the incidental printing, in conformity with the prices fixed in the bill.

The report was accepted.

The bill concerning forcible entry and detainer,

Was taken up, and

Read a second time, and

On motion of Mr. McKean,

The bill concerning forcible entry and detainer,

Was ordered to be engrossed, and

Read a third time.

The House bill to prevent injuries to settlers on public lands,

Was taken up, and

Read a second time.

The following message was received from the House:

MR. PRESIDENT: The House have had under consideration the amendments proposed by the Council to the bill respecting seed horses, and do not concur in the same.

Mr. Buck moved that the Council proceed to the election of assistant clerk, whereupon,

Cary C. Johnson was nominated.

It appeared upon vote that Cary C. Johnson had four votes, and Mr. Rinearson had four votes.

It appeared there was no election, and the balloting ceased.

The following message was received from the House:

MR. PRESIDENT: The accompanying Council bill to change the name of Tualitin county to that of Washington, is sent for your signature.

On motion of Mr. Blain,

The Council went into committee of the whole on the House bill to prevent injuries to settlers on public lands,

Mr. Shannon in the Chair.

After spending some time, the committee rose, reported progress, and amendments.

On motion,

The Council adjourned until 3 o'clock, P. M.

AFTERNOON SESSION.

The committee on engrossed bills reported that they had examined the bill concerning forcible entry and detainer; also, a bill on promissory notes, &c., and find them correctly engrossed.

The bill concerning forcible entry and detainer, was read for information of the Council, and

Ordered to be read a third time to-morrow.

A message from the House:

MR. PRESIDENT: The House have had under consideration the accompanying bill, giving concurrent jurisdiction to the district courts over water courses forming a boundary between judicial districts, have passed the same, and ask your concurrence.

Also, a bill to enable persons to remove fences, made by mistake, on the lands of other persons.

The House bill giving concurrent jurisdiction to the district courts over water courses, forming a boundary between judicial districts,

Was read a first time, and

Ordered to its second reading.

The House bill to enable persons to remove fences made by mistake on the lands of other persons,

Was read a first time, and

Ordered to its second reading.

A message from the House:

MR. PRESIDENT: The House have passed the accompanying bill to locate the county seat of Champoeg county.

Mr. Shannon asked leave to introduce a bill authorizing the location of a territorial road from Oxford, on the Willamette river, in Champoeg county, to Spores', in Linn county,

Which was granted.

The bill was read a first time, and

Ordered to a second reading.

The bill concerning promissory notes, &c.,

Was read a third time, passed, and its title agreed to.

On motion,

The Council adjourned until 9 o'clock, A. M., to-morrow.

SEPTEMBER 5, 1849, 9 A. M.

The Council met pursuant to adjournment.

The following message was sent to the House:

MR. SPEAKER: The Council have passed the accompanying bill on promissory notes, and herewith send for your concurrence.

The Council went into an election for engrossing clerk.

David Stone was nominated.

No other person being nominated, and David Stone having received eight votes, was declared to be duly elected assistant clerk of this Council.

David Stone took the oath of assistant clerk, and entered on the duties of his office.

Mr. Ford asked leave to introduce a bill, establishing the office, and defining the duties of sheriffs,

Which was granted.

The bill was read a first time, and

Ordered to its second reading.

Mr. McKean asked leave to introduce a bill to locate a precinct at Astoria, in Clatsop county,

Leave was granted, and

The bill was read a first time, and

Passed to its second reading.

The bill authorizing the location of a territorial road from Oxford on the Willamette river, in Champoeg county, to Spores', in Linn county,

Was read a second time, and

Ordered to be engrossed, and

Read a third time to-morrow.

The House bill to prevent injuries to settlers on public lands,

Was taken up and

On motion of Mr. Blain,

All after the first section of the bill was stricken out.

Mr. McKean moved that all after the enacting clause be stricken out,

Which was not adopted.

Mr. McKean moved that the bill be referred to the committee on the judiciary,

Which was lost.

The committee on enrolled bills reported they had examined the bill to locate the county seat of Champoeg county, and find it truly enrolled.

The report was accepted.

The following message, was sent to the House:

"Mr. Speaker: I herewith send for your signature, the bill to locate the county seat of Champoeg county.

Mr. Mealy moved to amend the bill to prevent injuries to settlers on public lands, by inserting a second section,

Which was adopted, and the amendment attached.

On motion of Mr. Blain,

That a "proviso" be annexed to the bill to prevent injuries to settlers on public lands, to the first section of the same,

The motion was adopted, and the proviso annexed.

The bill to prevent injuries to settlers on public lands,
Was read a third time, as amended, and passed.
The bill to enable persons to remove fences, made by mistake, on the lands of other persons,
Was read a second time, and
Ordered to its third reading.
On motion of Mr. Ford,,
That the sergeant-at-arms of the Council be required to make his report verbally, which was accordingly made, to the satisfaction of the Council.
On motion,
The Council adjourned until 2 1-2 o'clock, P. M.

AFTERNOON SESSION.

The Council met pursuant to adjournment.
The following message was sent to the House:

Mr. Speaker: The Council have had under consideration the House bill to prevent injuries to the possession of settlers on public lands, have made sundry amendments, and herewith send for your concurrence.

The following note was received from the House:

Mr. President: I am instructed to inform you that the House have had under consideration a bill to enact and cause to be published a code of laws, have passed the same, and herewith send for your concurrence.

The bill on forcible entry and detainer,
Was taken up, and
The bill was read the third time, passed, and its title agreed to.
The bill from the House, entitled, a bill to enact and cause to be published a code of laws,
Was read a first time, and
Passed to its second reading to-morrow.
Mr. Shannon asked leave to introduce a bill to declare the qualification of voters in the territory of Oregon,
Which was granted,
The bill was read the first time, and
Passed to its second reading.
On motion,
The Council adjourned until 9 o'clock, A. M. to-morrow.

SEPTEMBER 6, 1849, 9 A. M.

The Council met pursuant to adjournment.

The following note was sent to the House:

MR. SPEAKER: The Council have had under consideration, the bill, entitled, an act concerning forcible entry and detainer, and have passed the same, and send it herewith for your concurrence.

Also, an enrolled bill, entitled, an act to locate the county seat of Champoeg county, and send it herewith for your signature.

The bill to locate a precinct at Astoria, in Clatsop county, was called up for its second reading,

Which was not read.

The bill establishing and regulating the office of sheriff,

Was read a second time, and

Considered engrossed, and

Read a third time.

The bill to declare the qualifications of voters in the territory of Oregon,

Was read a second time, and

Amended by another section.

On motion of Mr. Ford,

The bill was laid on the table, subject to order of the Council.

The House bill, entitled, a bill to enact and cause to be published a code of laws,

Was read a second time by its title, and

On motion of Mr. Blain,

The Council went into committee of the whole on the bill.

Mr. Buck in the Chair.

After spending some time, the committee rose, and reported progress, and asked leave to sit again.

A message from the House:

MR. PRESIDENT: I am instructed to inform you that the House refuse to concur with the Council, in the amendments to the bill to prevent injuries to settlers on public lands, and have appointed a committee of conference on the bill.

Committee—Kinney, Chapman and Consor.

Also, the accompanying bill, to locate the county seat of Champoeg county, is sent for your signature.

A message from the House:

MR. PRESIDENT: The House have had under consideration bills of following titles, have passed the same, and ask your concurrence:

A bill to establish a probate court, and define its duties and powers.

A bill to authorize and empower probate courts to transact county business,

A bill to change the name of Vancouver county,

A bill to change the name of Champoeg county.

A bill to provide against dangerous and vicious cattle.

A bill to establish the seat of justice of Polk county.

The House bill giving concurrent jurisdiction to the district courts over water courses, forming boundaries between judicial districts,

Was read the third time and passed.

The bill authorizing the location of a territorial road from Oxford, on the Willamette river, in Champoeg county, to Spores', in Linn county,

Was read a third time, and passed.

The House bill to enable persons to remove fences made by mistake on the lands of other persons,

Was read the third time, and lost.

On motion of Mr. Buck,

The following note was sent to the House:

MR. SPEAKER: The Council have appointed Messrs. Buck, Ford and McKean a committee of conference to act with the committee of the House, on the bill to prevent injuries to settlers on public lands.

The following message was sent to the House:

MR. SPEAKER: The Council have had under consideration the House bill giving concurrent jurisdiction to the district courts, over water courses, forming a boundary between judicial districts; also, an act authorizing the location of a territorial road from Oxford, on the Willamette river, in Champoeg county, to Spores', in Linn county, have passed the same, and herewith send to the House for your concurrence.

On motion,

The Council adjourned until 2 o'clock, P. M.

AFTERNOON SESSION.

The Council met pursuant to adjournment.

On motion,

The Council resumed its sitting on the House bill to enact and cause to be published a code of laws.

After spending some time, the committee rose, and reported progress, and asked leave to sit again.

The following message was received from the House:

MR. PRESIDENT: The House has passed the following resolutions:

Resolved, That a select committee of three be appointed by the

Speaker, to act in conjunction with a like committee to be appointed by the Council, to inquire into the practicability of making ship navigation on the Willamette river, commencing at the Clackamas rapids up to the falls of said river, and if found practicable, to report the form or manner, which in their opinion, will best serve the interests of this territory.

Committee—Messrs. Walling of Clackamas, Matlock and Consor.

Also the House have adopted the following resolution:

Resolved, The Council concurring herein, that the two Houses will meet in joint convention in the hall of the House of Representatives on Wednesday next, at 11 o'clock, A. M., and by ballot, elect a commissioner on the Cayuse war claims.

The following messages were sent to the House:

MR. SPEAKER: The Council have had under consideration the resolution from the House, to appoint a select committee of three from both Houses, to inquire into the practicability of making ship navigation on the Willamette river, from the Clackamas rapids to the falls of said river, and concur with the House, and have appointed Messrs. Mealy, Shannon and Blain said committee.

Also, the Council concur with the House in their resolution to meet in the Representatives' hall, on Wednesday next, at 11 o'clock, A. M., to elect, by ballot, a commissioner on Cayuse war claims.

On motion,

The Council adjourned until 9 o'clock, A. M., to-morrow.

SEPTEMBER 7, 1849, 9 A. M.

The Council met pursuant to adjournment.

On motion of Mr. Shannon:

The bill to declare the qualifications of voters in this territory,

Was taken up, and

Was ordered to be engrossed, and

Read a third time.

The bill establishing and regulating the office of sheriff,

Was read the third time, and passed, and its title agreed to.

The following message was received from the House:

MR. PRESIDENT: The House have adopted the following resolution:

Resolved, The Council concurring herein, that one thousand copies of the memorial to the Congress of the United States, be provided for the use of both Houses.

On motion,

The Council did not concur with the House.

The following message was sent to the House:

MR. SPEAKER: I am instructed to inform you that the Council do not concur with the House in their resolution to have one thousand copies of the memorial to Congress, printed for the use of both Houses.

The following message was received from the House:

MR. PRESIDENT: The House have had under consideration the bill to establish a female seminary in Clackamas county, and have passed the same without amendments.

Also, a bill to establish an academy in Washington county, and have passed the same, with the following amendments, to-wit:

Wherever the word Tualitin or Falatine appears, insert Washington. After the word, Smith, in the tenth line, read Elkanah Walker, their associates and successors, are hereby declared, &c.

On motion,

The Council resumed its sittings in committee of the whole, on the House bill to enact and cause to be published a code of laws.

Mr. Ford in the Chair.

After spending some time, the committee rose and reported progress and amendments, and asked leave to sit again.

The committee on engrossed bills reported that they had examined the bill to declare the qualifications of voters in the territory of Oregon, and find it truly engrossed.

On motion,

The Council do not concur with the House in their amendments to the House bill to establish an academy in Taulitin county.

On motion,

The Council adjourned until 3 o'clock, P. M.

AFTERNOON SESSION.

The Council met pursuant to adjournment.

The bill to declare the qualifications of voters in the territory of Oregon,

Was read the third time, and passed, and the title agreed to.

On motion,

The Council went into committee of the whole upon the bill to enact and cause to be published a code of laws.

Mr. Graves in the Chair.

After spending some time, the committee rose, and reported progress, and asked leave to sit again.

On motion,

The Council adjourned until 9 o'clock, A. M., to-morrow.

SEPTEMBER 8, 1849, 9 A. M.

The Council met pursuant to adjournment.

The Council appointed Mr. Ford, president *pro tem.*

Mr. Humphries appeared and took his seat in the Council, and on stating his reasons for absence, was sustained by the Council.

On motion of Mr. Mealy,

The Council went into committee of the whole on the bill to enact and cause to be published a code of laws.

Mr. Buck in the Chair.

After spending some time, the committee rose, and reported progress, and asked leave to sit again.

Mr. McKean asked leave to introduce an act for the establishing of a pilotage at the bar at the mouth of the Columbia river, and from thence to the limits of navigation on the Columbia and Willamette rivers,

Which was granted.

The bill was read a first time, and

Ordered to its second reading.

On motion,

The Council adjourned until 2 o'clock, P. M., Monday.

SEPTEMBER 10, 1849, 2 P. M.

The Council met pursuant to adjournment.

The bill for the establishment of a pilotage at the mouth of the Columbia river,

Was read a second time, by its title.

On motion of Mr. Buck,

The Council went into committee of the whole upon the bill.

Mr. Blain in the Chair.

After spending some time, the committee rose, and reported progress and amendments.

The report was accepted.

On motion,

The bill was ordered to be engrossed, and

Read a third time to-morrow.

The following message was sent to the House:

MR. SPEAKER: The Council have passed the accompanying bills and send herewith for your signature:

An act to change the name of Vancouver county.

An act to establish the seat of justice of Polk county.

An act to establish a probate court, &c.

A bill to provide against dangerous and vicious cattle.

An act to change the name of Champoeg county,

An act to authorize probate courts to transact county business.

Also, the Council have had under consideration a bill to declare the qualifications of voters of Oregon territory, and an act establishing and regulating the office of sheriff, have passed the same, and send herewith for your concurrence.

On motion,

The Council went into committee of the whole on the House bill to enact and cause to be published a code of laws.

After spending some time, the committee rose, reported progress, and asked leave to sit again.

A message from the House:

MR. PRESIDENT: The House have had under consideration the accompany bill, to provide for the destruction of certain wild animals, have passed the same and herewith send for your concurrence.

The House bill to provide for the destruction of certain wild animals,

Was read a first time, and

Passed to a second reading.

Mr. Blain presented a petition from Elam Young,

Which was read, and

Laid on the table.

On motion,

The Council adjourned until 9 o'clock, A. M., to-morrow.

SEPTEMBER 11, 1849, 9 A. M.

The Council met pursuant to adjournment.

The House bill to provide for the destruction of certain wild animals,

Was read a second time, and

On motion of Mr. Buck,

The Council went into committee of the whole on the House bill to provide for the destruction of certain wild animals,

Mr. Graves in the Chair.

After spending some time, the committee of the whole rose, and reported amendments.

The report was accepted.

On motion of Mr. Blain,

The House bill to provide for the destruction of certain wild animals, was indefinitely postponed.

The committee on engrossed bills, reported that they had examined the bill establishing pilotage on the Columbia river, and find it truly engrossed.

The bill establishing pilotage on the Columbia river, &c.,

Was read a third time, passed, and its title agreed to.

The following message was sent to the House:

MR. SPEAKER: Herewith is sent for your signature, an act to establish a female seminary in Clackamas county.

On motion of Mr. Blain,

The Council went into committee of the whole on the House bill to enact and cause to be published a code of laws.

Mr. McKean in the Chair.

After spending some time, the committee rose, and reported progress, and asked leave to sit again.

Which report was accepted.

The following message was sent to the House:

MR. SPEAKER: The Council have had under consideration the following bill to establish a pilotage on the Columbia and Willamette rivers, have passed the same, and herewith send for your concurrence.

On motion,

The Council adjourned until 2 o'clock, P. M.

AFTERNOON SESSION.

The Council met pursuant to adjournment.

On motion,

The Council resolved itself into committee of the whole on the House bill to enact and cause to be published a code of laws.

Mr. Buck in the Chair.

The committee of the whole after spending some time, rose, and reported progress, and asked leave to sit again.

The report was accepted.

A message from the House:

MR. PRESIDENT: The Speaker has signed bills of the following titles, and send the same for your signature, to-wit:

An act to establish the seat of justice of Polk county.

An act establish a probate court, and define its duties and powers.

An act to provide against dangerous and vicious cattle.

An act to change the name of Champoeg county.

An act to change the name of Vancouver county.

An act to authorize and empower probate courts to transact county business.

An act to establish a female seminary in Clackamas county.

Which were severally signed by the President, and filed away.

Mr. Blain offered the following resolution:

Resolved, The House concurring herein, that the legislative assembly will adjourn on the last Saturday of September instant.

Which was not adopted.

Mr. Ford offered the following resolution:

Resolved, By the Council, that the bill to enact and cause to be published a code of laws, be voted on, each act separately.

The following message was sent to the House:

MR. SPEAKER: The Council have had under consideration, the House bill to provide for the destruction of certain wild animals, and have indefinitely postponed the same.

The following message was received from the House:

MR. PRESIDENT: The Speaker has signed the accompanying bill entitled an act to locate the county seat of Washington county, and herewith send the same for your signature.

The bill was signed by the President, and filed away.

The yeas and nays were ordered, on the resolution of Mr. Ford, to have each act voted on separately, on the bill to enact and cause to be published a code of laws, were as follows:

Yeas—Messrs. Ford, Humphries, Mealy and President—4.

Nays—Messrs. Blain, Buck, Graves and McKean—4.

Absent—Mr. Shannon.

Which was not adopted.

On motion of Mr. Blain,

A committee of three was appointed to revise and amend a bill to regulate ferries, taken from the act to enact and cause to be published a code of laws.

Committee—Messrs. Blain, McKean and Mealy.

On motion,

The Council adjourned until 9 o'clock, A. M., to-morrow.

SEPTEMBER 12, 1849, 9 A. M.

The Council met pursuant to adjournment.

Mr. Mealy offered the following resolution:

Resolved, That when the bill to enact and cause to be published a code of laws, has passed the committee of the whole, then the ques-

tion on each separate act contained in the general bill, shall be, "Shall this act pass to its third reading," and thus secure a separate vote on each act.

Which was adopted.

The committee to whom was referred the bill to regulate ferries, as taken from the act to enact and cause to be published a code of laws, asked leave to report certain amendments.

Which was not adopted.

On motion,

So much of the act to cause to be enacted and published a code of laws, as relates to ferries, was referred back to the same committee.

On motion of Mr. Buck,

The joint committee on the part of the two Houses, on printing, was discharged.

On motion,

The bill to prevent gaming,

Was taken up, and

On motion of Mr. Shannon,

The Council went into committee of the whole on the bill.

Mr. Blain in the Chair.

After spending some time, the committee of the whole rose and reported progress, without amendments.

The report of the committee was accepted.

On motion of Mr. Buck,

The bill to prevent gaming,

Was ordered to be engrossed, and

Read a third time to-morrow.

On the motion to engross and read the bill to prevent gaming, on to-morrow,

On motion of Mr. Ford,

The yeas and nays were ordered on the adoption of the bill, which were as follows:

Yeas—Messrs. Buck, Ford and Humphries—3.

Nays—Messrs. Blain, Graves, Mealy, McKean, Shannon and President—6.

Which was not adopted.

The following message was received from the House:

Mr. President: I am instructed by the Speaker to remind you that the two Houses are to meet in joint convention in the hall of the House of Representatives, at 11 o'clock, A. M., instant, to elect a commissioner to settle Cayuse war claims.

The following message was sent to the House:

Mr. Speaker: I am instructed to inform you that the Council will repair to the legislative hall within 20 minutes from this.

On motion of Mr. Blain,

The door-keeper or sergeant-at-arms, was instructed to procure a stove for the use of the Council chamber.

The following message was sent to the House:

MR. SPEAKER: The Council do not concur with the House amendments to the Council bill to establish an academy in Tualitin county, and ask for a committee of conference to be appointed by the House to act with a like committee to be appointed by the Council, on the bill.

Committee—Messrs. Blain and Buck.

The following message was received from the House:

MR. PRESIDENT: The House has accepted the report of the committee of conference on the bill to provide against injuries to the possession of settlers on public lands.

On motion,

The Council repaired to the hall of the House of Representatives for the purpose of electing a commissioner on the Cayuse war claims.

The Council returned from the legislative hall, and resumed the business in order.

On motion,

The Council adjourned until 2 o'clock, P. M.

AFTERNOON SESSION.

The Council met pursuant to adjournment.

The following communication was received from his excellency the Governor of this territory:

EXECUTIVE OFFICE,
Oregon City, Sept. 12, 1849.

Gentlemen of the Council and House of Representatives:

I have just received a communication from Major Hathaway, 1st Artillery, commanding the 11th military department, advising me that Capt. Hill, commanding at Steilacoom, nine miles from Fort Nisqually, in the county of Lewis, has now in confinement, six Indians, of the Snoqualimick tribe, principal actors in the murder of Wallace.

I am well satisfied that the trial and punishment of these guilty persons, in the presence of their people, will have a good effect upon the tribes in that quarter. I therefore request that you will, without delay, pass an act attaching Lewis county to the first judicial

district for judicial purposes, and authorize the holding of a special term of said district court therein, on the first Monday in October next. JOSEPH LANE.

Mr. Ford asked leave to introduce a bill to attach Lewis county to the first judicial district,

Which was granted, and

The bill was read a first time, and

On motion of Mr. McKean,

The rule requiring bills to be read on three several days was suspended, and

The bill read a second time, and

On motion of Mr. Blain,

The rule requiring bills to be read on three several days, was suspended, and

The bill was read the third time, passed, and its title agreed to.

The following message was sent to the House:

MR. SPEAKER: The Council have passed the accompanying bill, and herewith send for your concurrence.

On motion,

The Council accepted the report of the committee of conference on the House bill to prevent injuries to the possession of settlers on public lands.

On motion of Mr. Blain,

The Council went into committee of the whole on the House bill to enact and cause to be published a code of laws.

Mr. Shannon in the Chair.

After spending some time, the committee rose, reported progress, and asked leave to sit again.

On motion,

The Council adjourned until 9 o'clock, A. M., to-morrow.

SEPTEMBER 13, 1849, 9 o'clock, A. M.

The Council met pursuant to adjournment.

The committee of conference on the Tualitin academy bill, reported that they had unanimously agreed to recommend an adherence to the Council demands, in retaining the name of "Tualitin" as the name of the academy, and also the name of J. Q. Thornton, instead of that of E. Walker.

Which was adopted.

Mr. Ford asked leave to introduce a bill to establish the office of probate clerk,

Which was granted.

The bill was read a first time, and
Passed to its second reading.
On motion of Mr. McKean,
The Council went into committee of the whole on the House bill to enact and cause to be published a code of laws.
Mr. Graves in the Chair.
After spending some time, the committee rose, reported progress, and asked leave to sit again.
The report was accepted.
A message from the House:

MR. PRESIDENT: I am instructed to inform you that the House has passed the following bills, to-wit:
An act respecting wills, and
A bill for an act respecting executors and administrators.
On motion,
The Council adjourned until 2 o'clock, P. M.

AFTERNOON SESSION.

The Council met pursuant to adjournment.
The House bill respecting wills,
Was read a first time, and
Passed to a second reading.
Mr. Shannon offered the following resolution:

Resolved, The House concurring, that the two Houses of the legislative assembly will adjourn, *sine die*, at 10 o'clock, on the last Saturday in September instant.

When upon the adoption of the resolution,
On motion of Mr. Ford,
The yeas and nays were ordered, as follows:

Yeas—Messrs. Blain, Mealy and Shannon—3.

Nays—Messrs. Buck, Ford, Graves, Humphries, McKean and President—6.

Which was not adopted.
Mr. Shannon offered the following resolution:

Resolved, The House concurring, that the two Houses of the legislative assembly of Oregon territory, will meet in the hall of the House of Representatives, on Saturday, the 22d of September instant, at 10 o'clock A. M., to locate, by joint vote, the capital for the territory of Oregon.

On the adoption of the resolution,
On motion of Mr. Shannon,
The yeas and nays were taken, as follows:

Yeas—Messrs. Graves, Mealy, Shannon and President—4.

Nays—Messrs. Blain, Buck, Ford, Humphries and McKean—5.

Which was not adopted.
The House bill respecting executors and administrators,
Was read a first time, and
Ordered to its second reading.
On motion,
The Council went into committee of the whole on the House bill to enact and cause to be published, a code of laws.
After spending some time, the committee rose, and reported progress.
The report was accepted.
On motion,
The Council adjourned until 9 o'clock, A. M. to-morrow.

SEPTEMBER 14, 1849, 9 A. M.

The Council met pursuant to adjournment.
The act to establish the office of probate clerk,
Was read a second time.
Ordered to be engrossed, and
Read a third time.
The House bill respecting wills,
Was read a second time, and
Ordered to be read a third time to-morrow.
The House bill respecting executors and administrators,
Was read a second time, and
On motion of Mr. Ford,
The Council resolved itself into committee of the whole on the House bill respecting executors and administrators.
Mr. McKean in the Chair.
After spending some time, the committee rose, and reported progress.
The report was accepted.
On motion of Mr. Mealy,
The House bill respecting executors and administrators, was
Referred to the committee on the judiciary.
On motion of Mr. Ford,
The President was added to the committee on the judiciary, on the bill respecting executors and administrators.

On motion of Mr. Ford,

The Council went into committee of the whole upon the bill to enact and cause to be published a code of laws.

Mr. Humphries in the Chair.

After spending some time, the committee rose, and reported progress, and asked leave to sit again.

The report was accepted.

On motion of Mr. Blain,

So much of the bill to enact and cause to be published a code of laws, as relates to bonds, bills and promissory notes,

Was laid on the table, subject to the order of the Council.

On motion,

The Council adjourned until 2 o'clock, P. M.

AFTERNOON SESSION.

The Council met pursuant to adjournment.

The committee on engrossed bills reported that they had examined the bill to establish the office of probate clerk, and find it truly engrossed.

Which was accepted.

A message from the House:

MR. PRESIDENT: The House have reconsidered the vote of yesterday, on the report of the conference committee on the bill to establish the Tualitin academy.

On motion of Mr. Ford,,

The message from the House,

Was laid on the table.

On motion,

The Council went into committee of the whole on the House bill to enact and cause to be published a code of laws.

Mr. Shannon in the Chair.

After spending some time, the committee rose, reported progress, and asked leave to sit again.

The report was accepted,

Mr. Blain asked leave of absence for the door-keeper, until Monday next,

Which was granted.

The following note was received from the House:

MR. PRESIDENT; I am instructed to inform you that the House have passed the bill establishing a system of common schools, having made some amendments thereto.

The following message was received from the House:

MR. PRESIDENT: The House has passed the following resolution:

Resolved, The Council concurring herein, that the recess taken by the members of the two Houses of the legislative assembly, from the 28th day of July last, up to the 20th day of August last, be enumerated in this session of the legislature, and the members and officers of the two Houses, be entitled to draw pay for their per diem services at their established rates.

On the adoption of the first division of the House resolution, to enumerate the recess taken by the legislative assembly, in the regular session of the legislature,

On motion of Mr. Ford;

The yeas and nays were taken, as follows:

Yeas—Messrs. Blain, Graves, Humphries, McKean, Mealy, Shannon and President—7.

Nays—Messrs. Buck and Ford—2.

The first division was adopted.

On the adoption of the second division of the resolution, authorizing the members and officers of the two Houses of the legislature, to draw their per diem pay at the established rates,

On motion of Mr. Ford,

The yeas and nays were taken, as follows:

Yeas—Messrs. Blain, Graves, Humphries, McKean, Mealy, Shannon and President—7.

Nays—Messrs. Buck and Ford—2.

The second division was adopted.

The following message was sent to the House:

MR. SPEAKER: I am instructed to inform you that the Council concur in the House amendments to the bill to establish a system of common schools.

The following note was sent to the House:

MR. SPEAKER: The Council have adopted the House resolution, in regard to the recess from the 28th of July, up to the 20th of August, inclusive, and the pay of the members and officers of the legislative assembly.

The following message was received from the House:

MR. PRESIDENT: The House have had under consideration the accompanying bills, to-wit:

An act declaring Clackamas river navigable, and

A bill to provide for the election of prosecuting attorney, and have passed the same; also, the Council bill to attach Lewis county to the first judicial district, have made sundry amendments to the same and passed it as amended.

The bill on chancery pleadings,
Was read the third time, and passed, and its title agreed to.
The House bill declaring Clackamas river navigable,
Was read a first time, and
Passed to a second reading.
The House bill to provide for the election of prosecuting attorney,
Was read a first time, and
Passed to its second reading.
On motion,
The Council concurred with the House in their amendments to the Council bill to attach Lewis county to the first judicial district.
On motion,
The Council adjourned until 9 o'clock, A. M., to-morrow.

SEPTEMBER 15, 1849, 9 A. M.

The Council met pursuant to adjournment.
The following message was sent to the House:

MR. SPEAKER: The Council have had under consideration the accompanying bill, directing the mode of proceeding in chancery, have passed the same, and ask your concurrence.

The following message, was sent to the House:

MR. SPEAKER: I herewith send for your signature, the bill to attach Lewis county to the first judicial district.

The committee on accounts reported that they had considered the account of the sergeant-at-arms, for horse hire and ferriage, and consider it should be allowed.
The report was accepted, and adopted.
The House bill to declare Clackamas river navigable,
Was read a second time, and
On motion of Mr. Blain,
The Council went into committee of the whole on the House bill to declare the Clackamas river navigable,
Mr. Graves in the Chair.
After spending some time, the committee rose, and reported progress.
The report was accepted.

On motion of Mr. Ford,
The House bill to declare Clackamas river navigable,
Was indefinitely postponed.
The House bill to provide for the election of prosecuting attorney,
Was read a second time, and
On motion of Mr. Buck,
The Council went into committee of the whole upon the bill,
Mr. Ford in the Chair.
After spending some time, the committee of the whole rose, and reported progress and amendments.
The report was accepted.
On motion,
The House bill to provide for the election of prosecuting attorney,
Was ordered to be read a third time, on Monday next.
A message from the House:

Mr. President: I am instructed to inform you that the Speaker has signed the accompanying enrolled bill, to-wit:
A bill to attach Lewis county to the first judicial district.
A bill to prevent injuries to the possession of settlers on public lands.
A bill to provide for settling Cayuse war claims.
A bill to define the jurisdiction of the supreme courts, and
A bill giving concurrent jurisdiction to district courts, over water courses, forming boundaries between judicial districts, and send the same for your signature.

Which were severally signed by the President, and filed.
A message from the House:

Mr. President: The House have had under consideration the Council bill, entitled, an act for the establishing of a pilotage on the Columbia and Willamette rivers, have passed the same, with amendments, and herewith send for your concurrence.

The bill to establish the office of probate clerk,
Was read the third time, and passed, and the title agreed to.
On motion,
The Council adjourned until 9 o'clock Monday morning.

September 17, 1849, 9 A. M.

The Council met pursuant to adjournment.
The following message was sent to the House:

Mr. Speaker: The Council have had under consideration the

bill to establish the office of probate clerk, have passed the same, and herewith send for your concurrence.

On motion of Mr. Buck,

The Council bill to protect claimants in land claims,

Was taken up, and

The bill was indefinitely postponed.

The following message was sent to the House:

MR. SPEAKER: The Council do not concur in the amendments made by the House to the Council bill, for the establishing of a pilotage on the Columbia and Willamette rivers.

The House bill to provide for the election of prosecuting attorney,

Read a third time, amended by ryder, and on its final passage,

On motion of Mr. Shannon,

The yeas and nays were taken, as follows:

Yeas—Messrs. Blain, Buck, Ford, Graves, McKean and Shannon—6.

Nays—Messrs. Humphries, Mealy and President—3.

The bill was passed.

The following message was sent to the House:

MR. SPEAKER: The Council have had under consideration the House bill to provide for the election of prosecuting attorney, have passed the same, with amendments, and ask your concurrence.

On motion of Mr. Ford,

The Council went into committee of the whole on the bill to enact and cause to be published a code of laws.

Mr. Shannon in the Chair.

After spending some time, the committee rose, and reported progress, and asked leave to sit again.

The report was accepted.

The following message was received from the House:

MR. PRESIDENT: The House have passed the accompanying bill to provide for assessing and collecting the county and territorial revenue, and send the same for your consideration.

Also, the House have passed the accompanying bill, to provide for building bridges, and herewith send it for your consideration.

Also, the House adhere to their amendments to the bill on pilotage on the Columbia and Willamette rivers.

The House bill to provide for the assessing and collecting of county and territorial revenue,

Was read a first time.

On motion,

The Council adjourned until 2 o'clock, P. M.

AFTERNOON SESSION.

The Council met pursuant to adjournment.

A message from the House:

MR. PRESIDENT: The House have had under consideration the accompanying bill, to lay out the judicial districts of Oregon territory, have made sundry amendments to the same, and ask your concurrence.

The House bill to provide for building bridges,

Was read a first time, and

Passed to its second reading.

On motion of Mr. Buck,

That the Council adhere to their non-concurrence with the House amendments to the bill to establish a pilotage on the Columbia and Willamette rivers.

The following note was sent to the House:

MR. SPEAKER: The Council insist upon their non-concurrence with the amendments made by the House to the Council bill establishing a pilotage on the Columbia and Willamette rivers, and ask a committee of conference of both Houses on the bill.

Committee—Messrs. Buck and McKean.

On motion of Mr. Ford,

The Council went into committee of the whole on the bill to enact and cause to be published a code of laws,

Mr. Buck in the Chair.

After spending some time, the committee rose, and reported progress, and asked leave to sit again.

A message from the House:

MR. PRESIDENT: The House have passed the accompanying bill to license and tax merchants, and herewith send for your consideration.

Mr. McKean moved the bill be rejected.

Which was not adopted.

The House bill to license and tax merchants,

Was read a first time, and

Mr. Blain moved the indefinite postponement of the bill.

On motion of Mr. Ford,

The yeas and nays were taken, as follows:

Yeas—Messrs. Blain, Buck, Graves, Humphries and McKean—5.

Nays—Messrs. Ford, Mealy, Shannon and President—4.

The bill was indefinitely postponed.

On motion,
The Council adjourned until 9 o'clock, A. M., to-morrow.

SEPTEMBER 18, 1849, 9 A. M.

The Council met pursuant to adjournment.
The House bill to provide for building bridges,
Was read a second time, and
Ordered to its third reading to-morrow.
The Council bill to lay out the judicial districts of Oregon territory, as amended by the House,
Was laid on the table, subject to the order of the Council.
The Council bill to lay out the judicial districts of Oregon,
Was taken up and
On motion of Mr. Buck,
The Council do not concur with the first amendment made by the House.
The House bill respecting wills,
Was read a third time and passed.
On motion of Mr. Graves,
The vote given on the indefinite postponement of the House bill to license and tax merchants,
Was reconsidered, and
Was read a second time, and
The bill was laid on the table, subject to order of the Council.
On motion of Mr. McKean,
The Council went into committee of the whole on the bill to enact and cause to be published a code of laws,
Mr. Blain in the Chair.
After spending some time, the committee rose, reported progress, and asked leave to sit again.
The report was accepted, and
The following message was sent to the House:

MR. SPEAKER: The Council have had under consideration the House bill respecting wills, have passed the same, and send herewith to the House.

The following message was sent to the House:

MR. SPEAKER: The Council do not concur in the amendment made by the House to the first section of the Council bill to lay out the judicial district of Oregon territory, that part of said amendment striking out the words, "at the seat of government."

A message from the House:

MR. PRESIDENT: You are hereby informed that the House have adopted the following resolution:

Resolved, The Council concurring, that the two Houses of the legislative assembly of Oregon territory, adjourn on Saturday, the 29th instant, *sine die*, and ask your concurrence.

Also, the House has passed the accompanying bill to locate the seat of justice of Clackamas county, and herewith send it for your consideration.

Also, the House refuses to concur with the Council in its amendments to the House bill to provide for the election of prosecuting attorneys, and ask you to recede from the same.

Also, the House recedes from its amendment to the first section of the Council bill to lay out the judicial districts of Oregon territory, in reference to striking out the words "at the seat of government."

Also, the House have had under consideration the bill entitled, an act authorizing the location of a territorial road from Oxford, on the Willamette river, to Spores', in Linn county, have passed the same, with accompanying amendments, and ask your concurrence.

On motion,

The Council adjourned until 2 o'clock, P. M.

AFTERNOON SESSION.

The Council met pursuant to adjournment.

The committee of conference on the bill on pilotage, asked leave to report,

Which was granted.

The resolution from the House on adjourning the two Houses, was called up for its adoption or rejection, and

On motion of Mr. McKean,

The yeas and nays were ordered, as follows:

Yeas—Messrs. Mealy and Shannon—2.

Nays—Messrs. Blain, Buck, Ford, Graves, Humphries, McKean and President—7.

Which was not adopted.

The House bill to locate the seat of justice of Clackamas county,

Was read a first time, and

Passed to its second reading.

A message from the House:

MR. PRESIDENT: The House have had under consideration the Council bill declaring the qualifications of voters, and have passed the same.

Also, the House have adopted the report of the committee of conference on the bill entitled, an act to establish a pilotage on the Columbia and Willamette rivers, and ask your concurrence.

The Council refused to recede from its amendments to the House bill for the election of prosecuting attorneys.

Mr. Ford moved that a committee of conference be appointed by both Houses on the bill to provide for the election of prosecuting attorneys.

The President appointed Messrs. Ford and Blain said committee.

The following message was sent to the House:

MR. SPEAKER: The Council refuse to recede from their amendments to the House bill to provide for the election of prosecuting attorney, and have appointed a committee of conference, and ask a like committee to be appointed by the House on said bill.

The Council refused to concur with the House amendments to the Council bill authorizing a territorial road, leading from Oxford, on the Willamette river, to Spores', in Linn county.

The following message was sent to the House:

MR. SPEAKER: The Council do not concur with the House amendments to the Council bill to establish a territorial road from Oxford, on the Willamette river, to Spores', in Linn county.

On motion of Mr. Ford,

The Council went into committee of the whole on the House bill to enact and cause to be published a code of laws,

Mr. Ford in the Chair.

After spending some time, the committee rose and reported progress and asked leave to report,

The report was accepted.

The following message was sent to the House:

MR. SPEAKER: Herewith is sent for your signature, the Council bill to lay out the judicial districts of Oregon territory.

The bill to enact and cause to be published a code of laws, came up for its third reading, when the following acts, separately named therein, passed to their third reading, to-wit:

An act on abatement.

An act concerning apprentices.

The act on jeoffails, in the House bill to enact and cause to be published a code of laws, came up for its third reading, and

On motion of Mr. Ford,

The yeas and nays were ordered, which were as follows:

Yeas—Messrs. Blain, Buck, Graves, McKean, Mealy, and Shannon—6.

Nays—Messrs. Ford and President—2.

Mr Humphries was excused from voting.

The bill was passed to its third reading.

On the third reading of the act on attachments, taken from the House bill to enact and cause to be published a code of laws, Mr. McKean called for the yeas and nays, which were as follows:

Yeas—Messrs. Blain, Buck, Graves, McKean, Mealy and Shannon—6.

Nays—Messrs. Ford, Humphries and President—3.

The bill passed to a third reading.

On motion,

The Council adjourned until 9 o'clock, A. M. to-morrow.

SEPTEMBER 19, 1849, 9 A. M.

The Council met pursuant to adjournment.

The House bill to locate the seat of justice of Clackamas county,

Was read a second time, and

On motion of Mr. Buck,

Was referred to a special committee, consisting of Messrs. Buck and Graves.

The following message was sent to the House:

MR. SPEAKER: The following named and accompanying bills, are herewith sent for your signature, to-wit:

An act to declare the qualifications of voters in the territory of Oregon, and

A bill establishing a system of common schools.

A message from the House:

MR. PRESIDENT: I am instructed to inform you that the Speaker has signed the accompanying bill, to lay out the judicial districts of Oregon territory, and herewith send it for your signature.

The bill was signed by the President, and filed away.

The House bill to provide for building bridges,

Was read the third time and passed.

The Council bill to provide for the collection of demands, growing out of contracts for sales of improvements on public lands, was

On motion of Mr. McKean,

Indefinitely postponed.

On motion of Mr. Buck,
The bill fixing the style of the laws,
Was indefinitely postponed.
On motion of Mr. Shannon,
The bill to locate a territorial road from Oxford, on the Willamette river, to Spores', in Linn county,
Was indefinitely postponed.
A message from the House:

MR. PRESIDENT: The Speaker has signed the accompanying bills, to-wit:
A bill establishing a system of common schools, and
A bill to declare the qualifications of voters in Oregon territory, and herewith send the same for your signature.

Which were signed by the President, and filed away.
The following message was sent to the House:

MR. SPEAKER: I am instructed to inform you that the Council have passed the House bill to provide for building bridges, by amending the third section of the same, and herewith send for your signature.

The following message was sent to the House:

MR. SPEAKER: Herewith is sent for your signature, the bill for the establishing of a pilotage on the Columbia and Willamette rivers.

The following note was received from the House:

MR. PRESIDENT: I am instructed to inform you that the House have adopted the following resolution:
Resolved, The House concurring herein, that the two Houses will meet on Thursday, the 27th instant, at 2 o'clock, P. M., in the hall of the House of Representatives, for the purpose of electing a territorial auditor, treasurer and school commissioner.

Which was adopted.
The House bill to license and tax merchants,
Was taken up, and
On motion,
The Council resolved itself into committee of the whole on the bill,
Mr. Graves in the Chair.
After spending some time, the committee rose, and reported progress, and amendments; and
On motion,
The bill to license and tax merchants, was
Ordered to its third reading.

The House bill to provide for the assessing and collecting county and territorial taxes,

Was read the second time, and

Passed to a third reading.

The following message was received from the House:

MR. PRESIDENT: The House concurs in the amendments of the Council to the bill to provide for building bridges.

The following message was received from the House:

MR. PRESIDENT: I am instructed by the Speaker to inform you that the House have adopted the following resolution:

Resolved, The Council concurring, that a committee of three be appointed to inquire what system of laws upon crimes and punishments, will be most likely to meet the approbation of the assembly, and that they report by bill, or otherwise.

Committee—Messrs. Chapman, Burch and Walling, of Yamhill.

The following message was received from the House:

MR. PRESIDENT: The Speaker has signed the accompanying bill for the establishing of a pilotage on the Columbia and Willamette rivers, and herewith send for your signature.

Which was signed by the President, and filed away.

The following bills from the House bill to enact and cause to be published a code of laws, passed to their third reading, to-wit:

A bill concerning apprentices.

A bill concerning arbitrators and referees,

A bill to authorize the legislature to punish for contempt, &c.

A bill to provide for the annual organization of the Council and House of Representatives of Oregon territory.

A bill to regulate the admission of attorneys.

A bill respecting auditors of public accounts.

A bill respecting boats and vessels.

A bill respecting bonds and securities.

A bill respecting constables.

A bill regulating criminal proceedings.

On motion,

The Council adjourned until 2 o'clock, P. M.

AFTERNOON SESSION.

The Council met pursuant to adjournment.

The following message was sent to the House:

MR. SPEAKER: The Council have adopted the House resolution

for the two Houses to meet in joint convention on the 27th instant, at 3 o'clock, P. M., for the purpose of electing an auditor, treasurer and school commissioner for this territory.

The following bills taken from the House bill to enact and cause to be published a code of laws, passed to their third reading, to-wit:
A bill respecting coroners.
A bill for the relief of certain carriers.
A bill to regulate conveyances,
A bill to abolish imprisonment for debt.
A bill to prevent injuries by dogs.
A bill respecting divorce and alimony.
A bill respecting foreign executors.
A bill on elections.
A bill to allow the action of right.
A bill on ejectments.
A bill on evidence, by oath of parties.
A bill on ferriages.
A bill respecting fugitives from justice.
A bill to prevent frauds.
A bill respecting insane persons.
A bill respecting Indians.
A bill respecting grand and petit jurors.
A bill respecting foreign jurisdiction.
The bill respecting fees and salaries, was
Referred to the committee on the judiciary.
On the bill to prevent gaming,
The yeas and nays were taken, as follows:

Yeas—Messrs. Blain, Buck, McKean, Mealy, Shannon and President—6.

Nays—Messrs. Ford, Graves and Humphries—3.

The bill was lost.
The bill respecting landlords and tenants, was lost.
On the bill respecting justices of the peace,
The yeas and nays were taken, as follows:

Yeas—Messrs. Blain, McKean, Mealy and Shannon—4.

Nays—Messrs. Buck, Ford, Graves, Humphries and President—5.

The bill was lost.
On the bill to provide for the support of illegitimate children,
The yeas and nays were ordered, as follows:

Yeas—Messrs. Blain, McKean, Mealy and Shannon—4.

Nays—Messrs. Buck, Ford, Graves, Humphries and President—4.

The bill was lost.

A message from the House:

MR. PRESIDENT: The House have had under consideration the bill to prevent free negroes and mulattoes from coming to, or residing in Oregon territory, have passed the same, and ask your concurrence.

Mr. Blain objected to the bill from the House, respecting negroes or mulattoes coming to or remaining in this territory.

On motion of Mr. Shannon,

The yeas and nays were taken, as follows:

Yeas—Messrs. Blain and Mealy—2.

Nays—Messrs. Buck Ford, Graves, Humphries, McKean, Shannon and President—7.

The bill was sustained.

The bill was read a first time, and

Ordered to its second reading.

On motion,

The Council adjourned until 9 o'clock, A. M., to-morrow.

SEPTEMBER 20, 1849, 9 A. M.

The Council met pursuant to adjournment.

The President informed the Council that the sergeant-at-arms requested to be discharged,

Which was granted.

And the sergeant-at-arms was discharged.

Mr. Blain offered the following resolution:

Resolved, That the House be, and hereby is requested to concur with the Council in changing the name "school commissioners," in their resolution of yesterday, to superintendent of common schools, the officer to be elected on Thursday, the 27th instant.

Mr. Humphries moved a reconsideration of the vote given on yesterday, on the bill respecting justices of the peace.

The vote was reconsidered.

Mr. Ford asked leave to introduce a bill for the relief of the poor,

Which was granted.

The bill was read a first time, and

Passed to its second reading.

The following message was sent to the House:

MR. SPEAKER: The Council adopts the resolution from the House to appoint a committee of three from each House, to inquire what system of laws upon crimes and punishments, will be most likely to meet the views of the assembly, and have appointed Messrs. Blain, Mealy and Humphries said committee.

Also the following resolution passed the Council:

Resolved, That the House be and hereby is requested to concur with the Council, in changing the name "school commissioner" in the resolution of yesterday, to that of "superintendent of common schools," the officer to be elected on Thursday, the 27th instant.

On motion of Mr. Blain,

The bill, taken from the House bill to enact and cause to be published a code of laws, respecting the practice and jurisdiction of justices of the peace, was

Referred to the committee on the judiciary.

A message from the House:

MR. PRESIDENT: The House concur with the Council in the change of the word "commissioner," to that of "superintendent," in the joint resolution of yesterday.

The following bills, taken from the House bill to enact and cause to be published a code of laws, passed to their third reading, to-wit:

A bill respecting librarian.
A bill defining the number of copies of the laws to be printed.
A bill respecting mechanics liens.
A bill respecting limitations of suits.
A bill respecting limitations of actions.
A bill concerning minors and orphans.
A bill relative to mills and millers.
A bill concerning mortgages.
A bill relative to *ne exeat* and injunctions.
A bill relative to notaries public.
A bill to provide for the collection of demands on sale of public lands.
A bill for laying out and opening territorial roads.
A bill to allow and regulate actions of right.
A bill to regulate the action of replevin.
A bill concerning debtors and securities.
A bill for the relief of securities in civil and criminal cases.
A bill for the relief of securities of public officers.
A bill concerning construction of statutes.
A bill authenticating statutes.
A bill to provide for recording town plats.
A bill for the election and duties of territorial treasurer.
A bill for the election and duties of county treasurer.

A bill defining a lawful fence, &c.
A bill respecting vendors of unwholesome provisions.
A bill to change the venue in civil and criminal cases.
A bill concerning lost goods and estrays.
A bill subjecting real and personal property to execution.
A bill respecting weights and measures.
A bill respecting worshiping congregations.
On the passage of the bill defining lawful fences,
The yeas and nays were taken, as follows:

Yeas—Messrs. Blain, Humphries, McKean, Mealy, Shannon and President—6.

Nays—Messrs. Buck, Graves and Ford—3.

The bill went to its third reading.
On the adoption of the following amendment to the fifth section of the bill subjecting real and personal estate to execution,
1st. The homestead of the family not to exceed in value fifteen hundred dollars,
The yeas and nays were taken, as follows:

Yeas—Messrs. Blain, Humphries, Mealy and McKean—4.
Nays—Messrs. Buck, Ford, Graves, Shannon and President—5.

Which was not adopted.
2d. Amend by saying, a homestead not to exceed five hundred dollars,
The yeas and nays were ordered, which were as follows:

Yeas—Messrs. Blain, Ford, Graves, Humphries, Mealy and McKean,—6.

Nays—Messrs. Buck, Shannon and President—3.

The amendment was adopted, and became a part of the bill.
On motion,
The bill was laid on the table, subject to the order of the Council.
On motion,
The Council adjourned until 2 o'clock, P. M.

AFTERNOON SESSION.

The Council met pursuant to adjournment.
The committee to whom was referred the bill to locate the seat of justice of Clackamas county, asked leave to report,
Which was granted.

The joint committee to whom was referred the subject of a criminal code which would be most likely to meet the approbation of both Houses, reported that they have had the same under consideration, and that though there are doubtless better codes upon this subject, than that found in the late revision of Iowa statutes, yet the length of State codes, their application to State government, and the labor, time and care necessary to alter and fit them to laws now in force, and upon their passage in this territory, would, in the opinion of your committee, render it highly inexpedient at this time, to attempt to frame a code from any State government. The criminal code from the Iowa Statutes, from which the most of our laws are taken, is plain, simple, and expressly adapted to a territorial government, and but little alteration is necessary.

Your committee therefore unanimously recommend the following as an amendment to the bill to enact and cause to be published a code of laws; insert in the list of titles of acts adopted as No. 17, the following, "an act defining crimes and punishments."

On the adoption of the report, Mr. Ford called for the yeas and nays, which were as follows:

Yeas—Messrs. Blain Buck, Graves, Humphries, McKean and Mealy—6.

Nays—Messrs. Ford, Shannon and President—2.

Which was adopted.

The bill was read the first time, and

Passed to its second reading.

The following message was received from the House:

MR. PRESIDENT: The House has adopted the following resolution:

Resolved, The Council concurring herein, that the secretary be requested to borrow the necessary funds to defray the expenses of the legislative assembly, and refund the same out of the appropriations by Congress.

Which was rejected.

A message from the House:

MR. PRESIDENT: The House have had under consideration the accompanying bills, to-wit:

A bill for an act to provide for a special election, and

A bill providing for recording land claims, and have passed the same, and herewith send for your consideration.

The House bill for an act to provide for special elections,

Was read a first time, and

Passed to a second reading.

The House bill providing for recording land claims,

Was read a first time, and
Ordered to its second reading.
The House bill to prevent negroes and mulattoes to come to, or reside in Oregon,
Was read a second time, and
Passed to its third reading.
The act to locate the seat of government,
Was indefinitely postponed.
The report of the committee on locating the seat of justice of Clackamas county, was adopted.
The House bill to license and tax merchants, came up for its third reading.
On motion of Mr. Shannon,
The yeas and nays were taken, as follows:

Yeas—Messrs. Ford, Graves, Mealy, Shannon and President—5.

Nays—Messrs. Blain, Buck, Humphries and McKean—4.

The bill was read the third time, and passed.
On motion,
The Council adjourned until 9 o'clock, A. M., to-morrow.

SEPTEMBER 21, 1849, 9 A. M.

The Council met pursuant to adjournment.
The following message was sent to the House:

MR. SPEAKER: The Council have had under consideration the House bill to license and tax merchants, have passed the same, with amendments, and send herewith to the House.
The following message was sent to the House:

MR. SPEAKER: I am instructed to inform you that the Council have indefinitely postponed the House resolution, to call on the secretary to take a loan for paying the members of the legislative assembly.

The House bill to provide for recording land claims,
Was read a second time, and
On motion,
The Council went into committee of the whole upon the bill.
Mr. Humphries in the Chair.
After spending some time, the committee rose, and reported progress.
The report was accepted.

The bill passed to its third reading.

The House bill to provide for special elections,

Was read a second time, and

On motion of Mr. Ford,

The Council went into committee of the whole on the bill.

Mr. Shannon in the Chair.

After spending some time, the committee rose, and reported progress.

The report was accepted.

And the bill passed to its third reading.

On motion of Mr. McKean,

The rule requiring bills to be read on three several days was suspended, and

The House bill to provide for special elections,

Was read a third time and passed.

The House bill to prevent negroes and mulattoes from coming to, or residing in Oregon,

Was read a third time, and upon its final passage,

On motion of Mr. Shannon,

The yeas and nays were taken, as follows:

Yeas—Messrs. Buck, Ford, Humphries, Shannon and President—5.

Nays—Messrs. Blain, Graves, McKean and Mealy—4.

The bill was passed.

A message from the House:

MR. PRESIDENT: You are hereby informed that the House refuse to concur in the amendments of the Council to the bill to license and tax merchants.

On motion,

The Council adjourned until 2 o'clock, P. M.

AFTERNOON SESSION.

The Council met pursuant to adjournment.

The following message was sent to the House:

MR. SPEAKER: The Council have passed the accompanying bills to-wit:

The House bill to locate the seat of justice of Clackamas county, with the accompanying amendments.

The House bill to provide for special elections, with accompanying amendments.

The House bill to prevent negroes and mulattoes from coming to, or residing in Oregon, for your concurrence.

Also, an engrossed Council bill, to establish an academy in Washington county, for your signature.

A message from the House:

MR. PRESIDENT: I am instructed to inform you that the House have passed the accompanying bill, to license auctioneers, and tax licenses and sales, and send the same for your consideration.

The bill from the House to license auctioneers, and tax licenses and sales,

Was read a first time, and

Passed to its second reading.

The House message giving notice to the Council that they do not concur with the amendments to the House bill to license and tax merchants,

Was taken up, and

On motion of Mr. Ford,

That the Council recede from its amendments to the bill,

Mr. Shannon called for the yeas and nays on the question of receding, which were as follows:

Yeas—Messrs. Ford, Graves, Shannon and President—4.

Nays—Messrs. Blain, Buck, Humphries, McKean and Mealy—5.

The Council do not recede.

Mr. Ford moved a committee of conference be appointed on the bill,

Which was adopted.

Messrs. Ford and Shannon were appointed said committee.

The bill for the relief of the poor,

Was read a second time, and

Was ordered to be engrossed, and

Read a third time.

The following message was received from his excellency, Joseph Lane, Governor of this Territory:

EXECUTIVE OFFICE,
Oregon City, Sept. 21, 1849.

Gentlemen of the Council and House of Representatives:

With deep regreet, I announce to you the painful news of the death of James K. Polk, late President of the United States, which occurred at Nashville, Tennessee, on the fifteenth day of June last.

We are suddenly called upon to mourn the loss of a great and good man, the recollection of whose long services in the Councils of the

nation, and his still more distinguished services as President of the United States, will forever be remembered by the friends of civil and religious liberty.

As a mark of respect to the memory of a citizen so distinguished, I would most respectfully recommend to the legislative assembly to adjourn, and that all business be suspended, until Monday next, and that the two Houses be immediately placed in mourning, and that such other suitable steps be taken upon this melancholy occasion, as may, in your wisdom, seem proper.

JOSEPH LANE.

On motion of Mr. Shannon,

A committee of conference of four from the Council was appointed to act with a like committee to be appointed by the House, for the purpose of drafting a preamble, respective of the feelings of both Houses, on the subject of the death of the ex-President of the United States, James K. Polk.

The Council appointed Messrs. Blain, Buck, Ford and Shannon said committee.

The following message was sent to the House:

MR. SPEAKER: The Council have appointed a committee of four to confer with a like committee to be appointed by the House, on the subject of the communication of his excellency, Joseph Lane, of this instant.

The following resolution was received from the House:

Resolved, The Council concurring, that a committee of four from each House, be appointed, to whom shall be referred the message of the Governor, communicating the intelligence of the death of ex-President James K. Polk, with instructions to prepare and report resolutions, expressive of the sense of the two Houses.

The resolution was adopted.

On motion,

The Council adjourned until 7 o'clock, P. M.

EVENING SESSION.

The Council met pursuant to adjournment.

The joint committee to whom was referred the message of his excellency, the Governor, communicating intelligence of the death of James K. Polk, late President of the United States, reported that they had had the same under consideration, and report the following resolutions:

Resolved, That the two Houses of the legislative assembly deeply sympathize with their fellow-citizens of the United States, upon the

death of our distinguished fellow-citizen, James K. Polk, late President of the United States.

Resolved, That as a further testimony to that distinguished man, and his eminent public services, that the members and officers of the two Houses wear crape upon the left arm, until the close of the present session of the assembly, and that the two Houses be placed in mourning.

Resolved, That a funeral oration be delivered in the hall of the House of Representatives, on to-morrow, at 3 o'clock, P. M.

Resolved, That the two Houses adjourn until Monday next, and that all public business be suspended.

The report of the joint committee was adopted.

On motion,

The Council adjourned until 9 o'clock Monday morning.

SEPTEMBER 24, 1849, 9 A. M.

The Council met pursuant to adjournment.

Mr. Ford asked leave to introduce a bill, authorizing the probate court to establish county lines,

Which was granted.

The bill was read a first time, and

Ordered to its second reading.

Mr. Buck asked leave to introduce a bill to incorporate Oregon City,

Which was granted,

The bill was read a first time, and

On motion of Mr. Buck,

The rule requiring bills to be read on three several days, was suspended, and

The bill read a second time, and

Was ordered to be engrossed, and

Read a third time.

Mr. McKean asked leave to introduce a bill, supplementary to an act, entitled, an act establishing a pilotage on the Columbia and Willamette rivers,

Which was granted, and

The bill was read a first time, and

Ordered to its second reading.

The President presented a message from David Stone, assistant clerk of the Council, requesting the acceptance of the Council to his resignation.

The Council accepted his resignation.

The House bill providing for the recording of land claims,

Was read a third time and passed.

The House bill to license auctioneers, and impose a tax on licenses and sales,

Was read a second time, and

On motion of Mr. Buck,

The Council went into committee of the whole on the bill.

Mr. Humphries in the Chair.

After spending some time, the committee rose, reported progress, and amendments.

The report was accepted.

On motion of Mr. Buck,

The House bill to license auctioneers, and impose a tax on licenses and sales,

Was indefinitely postponed.

On motion of Mr. Graves,

The vote passing the House bill to provide for assessing and collecting county and territorial revenue, to its third reading,

Was reconsidered, and

On motion of Mr. Buck,

The Council went into committee of the whole on the bill.

Mr. Mealy in the Chair.

After spending some time, the committee rose, reported progress, and amendments.

The report was accepted.

On motion,

The bill passed to its third reading.

The following message was sent to the House:

MR. SPEAKER: The Council have had under consideration the House bill providing for the recording of land claims, have passed the same, and send herewith to the House, with amendments.

The following message was sent to the House:

MR. SPEAKER: The Council has indefinitely postponed the House bill to license auctioneers, and impose a tax on licenses and sales.

On motion,

The Council adjourned until 2 o'clock, P. M.

AFTERNOON SESSION.

The Council met pursuant to adjournment.

Mr. Shannon offered the following resolution:

Resolved, The House concurring, that the two Houses will adjourn on Saturday, the 29th of September, instant, *sine die*.

The resolution was accepted.

On the adoption of the resolution, Mr. Ford called for the yeas and nays, which were as follows:

Yeas—Messrs. Blain, Humphries, Mealy, Shannon and President—5.

Nays—Messrs. Buck, Ford, Graves and McKean—4.

The resolution was adopted.

The bill on crimes and punishments, taken from the House bill to enact and cause to be published a code of laws,

Was read a second time, and

On motion,

The Council went into committee of the whole on the bill.

Mr. McKean in the Chair.

After spending some time, the committee rose, reported progress, and amendments.

The report was accepted.

The following note was sent to the House:

MR. SPEAKER: The Council have adopted the following resolution:

Resolved, The House concurring, that the two Houses will adjourn on Saturday, the 29th of September instant, *sine die*.

On the passage of the bill on crimes and punishments, to its third reading, Mr. Ford called for the yeas and nays, which were as follows:

Yeas—Messrs. Blain, Buck, Graves, Humphries, McKean, Mealy and Shannon—7.

Nays—Messrs. Ford and President—2.

The bill passed to its third reading.

Mr. Shannon moved that the Council go into an election for assistant clerk.

Mr. Shannon nominated R. E. Campbell.

No other person being nominated, it appeared that R. E. Campbell had received eight votes, and Dr. McLaughlin, one vote.

Mr. Campbell was declared duly elected assistant clerk, came forward, and took the oath required by law, and entered upon the duties of his office.

A message from the House:

MR. PRESIDENT: The House have concurred with the Council in its amendments to the bill to provide for recording land claims.

The House bill for an act respecting executors and administrators,

Passed to its third reading.

The House bill to enact and cause to be published a code of laws,
Was read a third time, and passed, with the exception of two bills therein named, to-wit: The bill on fees, and the bill on justices of the peace.

On motion of Mr. Shannon,

Mr. Buck was added to the committee on the judiciary, on the fee bill.

On motion,

The Council adjourned until 9 o'clock, A. M., to-morrow.

SEPTEMBER 25, 1849, 9 o'clock, A. M.

The Council met pursuant to adjournment.

The committee on the judiciary asked leave to report,

Leave was granted, and

They reported amendments to the bill respecting justices of the peace, contained in the House bill to enact and cause to be published a code of laws.

The amendments were not adopted.

The bill respecting justices of the peace,

Passed to its third reading.

The following message was received from the House:

MR. PRESIDENT: The House has concurred with the Council in its amendments to the bill to locate the seat of justice in and for the county of Clackamas.

The President asked leave to introduce a memorial to the Congress of the United States.

Which was granted.

The memorial was read a first time, and

Ordered to its second reading.

Mr. Blain asked leave to introduce a memorial to the Congress of the United States,

Which was granted, and

The memorial was read a first time, and

Passed to its second reading.

On the final passage of the bill respecting justices of the peace, taken from the House bill to enact and cause to be published a code of laws,

On motion of Mr. Ford,

The yeas and nays were taken, as follows:

Yeas—Messrs. Buck, Graves, Mealy, McKean, Shannon and President—6.

Nays—Messrs. Ford and Humphries—2.

The bill passed.

The bill, supplementary to an act, entitled, an act establishing a pilotage on the Columbia and Willamette rivers,
Was read a second time, and
Passed to its third reading,
The bill authorizing probate courts to establish county lines,
Was read a second time, and
Passed to its third reading.
The bill for the relief of the poor,
Was read a third time, passed, and its title agreed to.
On motion,
The Council adjourned until 2 o'clock, P. M.

AFTERNOON SESSION.

The Council met pursuant to adjournment.
The following message, was sent to the House:

MR. SPEAKER: The Council have had under consideration the House bill to enact and cause to be published a code of laws, have made sundry amendments, which are herewith sent for your concurrence.

On motion of Mr. Buck,
Wilson Blain, member from Washington county, was sent for.
The engrossing committee reported that they had examined the bill to incorporate Oregon City, and find it truly engrossed.
The bill to incorporate Oregon City, was read a third time and passed.
The following note was sent to the House:

MR. SPEAKER: The Council have had under consideration the following named and accompanying bills, have passed the same, and herewith send for your concurrence, to-wit:
A bill to incorporate Oregon City, and
A bill for the relief of the poor.

Mr. Blain appeared in Council.
The President presented the following note from Wilson Blain:

MR. PRESIDENT: When I left your Chamber this forenoon, it was under the impression that I was exposed to personal violence at the hands of Col. Ford, from Polk county. The members of the Council are witnesses that the said Ford threatened, in a violent manner, to shed my blood. I therefore deem it proper for me to absent myself from this Chamber, until the Council take such action as will secure me against insult and violence.

Mr. Blain was allowed absence.

On motion of Mr. Buck,

A committee of three was appointed to investigate the difficulty between Messrs. Blain and Ford.

Committee—Messrs. Buck, McKean and Shannon.

Mr. McKean asked leave to be excused from serving on said committee, and from the duties of the Council for the remaining part of the day.

Leave was granted.

Mr. Graves was added to said committee, in place of Mr. McKean.

On motion,

The Council adjourned for one hour.

The Council met pursuant to adjournment.

On motion,

The Council adjourned until 9 o'clock, A. M., to-morrow.

SEPTEMBER 26, 1849, 9 A. M.

The Council met pursuant to adjournment.

The committee to whom was referred the difficulty between Messrs. Ford and Blain, asked leave to report.

Leave was granted.

The committee reported as follows:

MR. PRESIDENT: Your committee, to whom was referred the difficulty between Messrs. Ford and Blain, beg leave to report,

1st. That the conduct of said Ford is truly reprehensible, and deserves the censure of this Council.

2d. That the said Ford be required to make suitable acknowledgments of misconduct, and that the President reprimand the said Ford for his gross misconduct.

The report of the committee was adopted.

Whereupon, the President offered the reprimand required by the report of the committee.

A bill to authorize the probate courts to establish county lines.

Was read the third time, passed, and its title agreed to.

A bill supplementary to an act, establishing a pilotage on the Columbia and Willamette rivers,

Was read the third time, passed, and its title agreed to.

The following message was received from the House:

MR. PRESIDENT: The House does not concur in the amendments of the Council, to the bill to enact and cause to be published a code

of laws, and have appointed a committee of conference on said bill.

Committee—Messrs. Chapman, Matlock and King.

Also, the Speaker has signed the following bills:

A bill to locate the seat of justice of Clackamas county.

A bill to prevent free negroes and mulattoes from coming to, or residing in Oregon.

A bill to provide for recording land claims, and

A bill respecting wills, and herewith send for your signature.

Also, the House has passed the accompanying bill, to-wit:

A bill to provide for superintending the printing of the laws, and herewith send the same for your consideration.

Also, the House do not concur in the amendments of the Council, to the bill to provide for a special election.

On motion of Mr. Buck,

The Council adhere to their amendments to the House bill to provide for special elections.

Mr. Shannon asked leave to offer a resolution,

Which was granted,

And the following resolution was adopted and sent to the House:

Resolved, The House concurring, that the secretary be requested to inform the two Houses of the legislative assembly, what has been the amount, in full of the contingent expenses of the legislature at its present session.

Also, the following resolution passed the Council, and was sent to the House:

Resolved, The House concurring, that each House appoint a committee of three to draft a memorial to the Congress of the United States.

Committee on the part of the Council, Messrs. Buck, Mealy and Shannon.

The House bill to provide for the superintending of the printing of the laws,

Was read a first time, and

Passed to its second reading.

The memorial to Congress, No. 1,

Was read a second time, and

Was laid on the table, subject to the order of the Council.

The memorial to Congress, No. 2,

Was read a second time, and

Was indefinitely postponed.

The following named members were appointed a committee to confer with a like committee from the House, on the House bill to enact and cause to be published a code of laws, to-wit:

Messrs. McKean, Ford and Graves.

The following bills were signed by the President, to-wit:
An act to locate the county seat of justice of Clackamas county.
An act to provide for recording land claims.
An act to provide for building bridges.
An act to prevent free negroes and mulattoes from coming to or residing in Oregon, and
An act respecting wills.
A message from the House:

MR. PRESIDENT: I am instructed to inform you that the Speaker has signed the bill to establish an academy in Washington county, and herewith send for your signature.

Which was signed by the President, and filed away.
On motion,
The Council adjourned until 2 o'clock, P. M.

AFTERNOON SESSION.

The Council met pursuant to adjournment.
The following message was sent to the House:
MR. SPEAKER: I am instructed by the President to inform you that the Council have appointed a committee of three to confer with a like committee from the House, on the House bill to enact and cause to be published a code of laws.
Committee—Messrs. McKean, Ford and Graves.
Also, the Council have passed the accompanying bills, to-wit:
A bill authorizing probate courts to establish county lines, and
A bill supplementary to an act, entitled, an act establishing a pilotage on the Columbia and Willamette rivers, and herewith send for your consideration.
Also, the Council adhere to their amendments to the House bill to provide for special elections.

The committee to whom was referred the bill respecting fees, taken from the House bill to enact and cause to be published a code of laws, asked leave to report,
Which was granted.
The committee reported that they had amended the bill by deducting twenty-five per cent. from the House amendment thereto.
On the adoption of the report, Mr. Blain called for the yeas and nays which were as follows:

Yeas—Messrs. Buck Ford, Graves, Humphries, Mealy, Shannon and President—7.

Nays—Messrs. Blain and McKean—2.

Which was adopted.

On motion of Mr. Buck,
The rule requiring bills to be read on three several days was suspended, and
The House bill to provide for the superintending of the printing of the laws,
Was read the second time, and
Passed to a third reading.
A message from the House:

MR. PRESIDENT: The House have had under consideration the Council resolution, calling on the secretary for information concerning the expenses of the legislature, and have amended the same by inserting in the fifth line, after the word "full," the words, "and each particular item thereof," and ask your concurrence.

The Council concurred in the amendments of the House to the resolution.
The following message was sent to the House:

MR. SPEAKER: The Council concur in the House amendments to the Council resolution, calling on the secretary for information concerning the expenses of the legislature.

The following message was sent to the House:

MR. SPEAKER: The Council have passed the bill respecting fees, in the House bill to enact and cause to be published a code of laws, by amending the House amendments, by deducting twenty-five per cent from them, and where the fees are provided for probate judges, they shall be applied to probate clerks.

A message from the House:

MR. PRESIDENT: The House have had under consideration the Council bill to incorporate Oregon City, and have passed the same, with accompanying amendments.

The House bill to establish the price of public printing,
Was read the third time and passed.
The following message was sent to the House:

MR. SPEAKER: The Council have passed the House bill to establish the price of public printing, and herewith send to the House.

On motion,
The Council concurred in the House amendments to the Council bill to incorporate Oregon City.
The House bill to provide for assessing and collecting county and territorial revenue,
Was read a third time, and passed, with amendments.
The bill was sent to the House.

A message from the House:

MR. PRESIDENT: I am instructed to inform you that the House have had under consideration a bill to regulate the sale of spirituous liquors; also, a bill to establish the south line of Yamhill county, have passed the same, and herewith send for your consideration.

The bill from the House, to regulate the sale of spirituous liquors,
Was read a first time, and
On motion,
The rule requiring bills to be read on three several days was suspended, and
The bill was read a second time, and
On a motion for the indefinite postponement of the bill, Mr. Blain called for the yeas and nays, which were as follows:

Yeas—Messrs. Ford, Graves, Humphries, McKean, Mealy and President—6.

Nays—Messrs. Buck and Blain—2.

The House bill respecting executors and administrators,
Was read a third time, and passed.
The bill was sent to the House.
The House bill to establish the south line of Yamhill county,
Was read a first time, and
Passed to a second reading.
The following message was received from the House:

MR. PRESIDENT: I am instructed by the Speaker to inform you that the House have had under consideration the Council bill to provide for the relief of the poor, and passed it, with amendments.
On motion,
The Council adopted the amendments made by the House, to the bill.
On motion,
The Council adjourned until 9 o'clock, A. M., to-morrow.

SEPTEMBER 27, 1849, 9 A. M.

The Council met pursuant to adjournment.
A message from the House:

MR. PRESIDENT: The House have appointed a committee of conference on the bill to provide for a special election.

Committee—Messrs. Walling, of Clackamas, and Hembree.

The following message was received from the House:

MR. PRESIDENT: The House has adopted the resolution from the Council, to adjourn both Houses on the 29th instant, *sine die*.

The House bill to provide for the superintending of the printing of the laws,

Was read a third time, and passed.

The bill was sent to the House.

The House bill to establish the southern boundary line of Yamhill county,

Was read a second time, and

Was indefinitely postponed.

The following message was sent to the House:

MR. SPEAKER: I am instructed to inform you that the Council have indefinitely postponed the House bill to define the southern boundary of Yamhill county.

The Council have also appointed Messrs. Buck and Blain a committee to confer with a like committee from the House, on the bill to provide for a special election.

The following message was received from the House:

MR. PRESIDENT: The House has appointed Messrs. Chapman King and Matlock a committtee to act with the committee appointed by the Council, in drafting a memorial to the Congress of the United States.

On motion,

The Council adjourned until 2 o'clock, P. M.

AFTERNOON SESSION.

The Council met pursuant to adjournment.

The following message was sent to the House:

MR. SPEAKER: The following named and accompanying bills, are herewith sent for your signature, to-wit:

A bill to provide for the relief of the poor.

A bill to incorporate Oregon City.

The committee to whom was referred the bill to provide for the election of prosecuting attorneys, asked leave to report,

Which was granted.

The committee reported that they had made sundry amendments to the bill.

Which was adopted.

Mr. McKean offered the following resolution:

Resolved, The House concurring herein, that the next legislature of the territory of Oregon, shall meet in Linn City, in the county of Washington, on the first Monday in November, one thousand eight hundred and fifty.

The resolution was laid on the table.

The following note was sent to the House:

Mr. Speaker: The Council have adopted the amendments made by the joint committee, on the House bill to provide for the election of prosecuting attorneys, and have amended the bill by striking out the word "two," in the tenth line of the sixth section, and inserting the word "three," and herewith send to the House.

The committee to whom was referred the bill to tax and license merchants, asked leave to report,

Which was granted.

The report was not adopted.

The following message was sent to the House:

Mr. Speaker: The Council refuse to adopt the report of the committee on the House bill to license and tax merchants.

The following message was received from the House:

Mr. President: You are hereby informed that the House has adopted the report of the committee of conference, on the bill to provide for the election of prosecuting attorneys.

Also, the House has adopted the accompanying report of the committee of conference on the bill to enact and cause to be published a code of laws, and herewith send the same, with bill and amendments to the Council.

Also, the House has passed the accompanying bills, to-wit:

A bill to lay out a road from Oregon City to Salem.

A bill to provide for taking the census.

A bill to change the day of the commencement of the district courts, and herewith send for your consideration.

Also, the House has had under consideration the bill establishing and regulating the office of sheriff, and passed the same, having filled the blank with the 29th day of September, 1849, and send to the Council.

The House amendments to the bill were adopted.

The following note was received from the House:

Mr. President: I am instructed to inform you that the House has adopted the following resolution:

Resolved, The Council concurring herein, that the two Houses,

while in joint convention, this evening, proceed to elect a territorial librarian.

The resolution was adopted.

A message from the House:

MR. PRESIDENT: The Speaker has signed the accompanying bills and sends the same for your signature, to-wit:

A bill to incorporate Oregon City, and

A bill for the relief of the poor.

Which were severally signed by the President, and filed.

The House bill to change the day of the commencing of the district courts,

Was read a first time, and

Ordered to its second reading.

The House bill to provide for taking the census,

Was read a first time, and

Passed to its second reading.

The House bill to lay out a road from Oregon City to Salem,

Was read a first time, and

Ordered to its second reading.

The Council repared to the Representatives' Hall, for the purpose of electing, in joint convention, the following officers, to-wit:

A superintendent of common schools, a territorial auditor, a territorial treasurer, a superintendent of printing the laws, and a librarian.

Whereupon, the President declared James McBride duly elected superintendent of common schools; B. Genois, territorial auditor; James Taylor, territorial treasurer; Wilson Blain, superintendent of printing the laws, and W. T. Matlock, librarian.

On motion,

The Council adjourned until 9 o'clock, A. M. to-morrow.

SEPTEMBER 28, 1849, 9 A. M.

The Council met pursuant to adjournment.

Mr. Buck moved to strike out all that part of the report of the committee on the difficulty between Messrs. Blain and Ford, relating to the future conduct of said Ford.

The motion was adopted, and all that part of the report of said committee was expunged.

Mr. Blain offered the following joint resolution:

Resolved, The House concurring, that a committee of one from each House be appointed to receive proposals for the printing of the

laws and journals of the legislative assembly, and report to-morrow morning, at 9 o'clock.

The resolution was accepted, and
On motion,
The resolution was adopted.
The President appointed Mr. Blain said committee.
Mr. Mealy offered the following resolution:

Resolved, The House concurring, that the President of the Council, and Speaker of the House, shall each receive five dollars per diem, as presiding officers of this legislature.

On motion of Mr. Buck,
The resolution was indefinitely postponed.
The following message was received from the House:

Mr. President: The House has had under consideration the accompanying bill to regulate grocery license, have passed the same, and herewith send for your concurrence.

The bill was read a first time, and
Ordered to its second reading.
The following message was sent to the House:

Mr. Speaker: Herewith is sent for your signature, the bill to establish and regulate the office of sheriff.

The following message was sent to the House:

Mr. Speaker: The Council have had under consideration the report of the conference committee, on the amendments made by the Council to the bill to enact and cause to published a code of laws, have adopted the same, and herewith send to the House.

On the adoption of that part of the report of the committee relative, first, to the bill contained in said general bill, relative to practice, Mr. Ford called for the yeas and nays, which were as follows:

Yeas—Messrs. Blain, Buck, Graves, Mealy and McKean—5.

Nays—Messrs. Ford, Humphries and President—3.

Absent—Mr. Shannon.

The bill was adopted.
Second, on the bill respecting *quo warranto*,
The yeas and nays were taken, as follows:

Yeas—Messrs. Blain, Buck, Graves, McKean and Mealy—5.

Nays—Messrs. Ford, Humphries and President—3.

The bill was adopted.

Third, on the bill respecting stallions and jacks,

The yeas and nays were taken, as follows:

Yeas—Messrs. Blain, Buck, Graves, McKean and Mealy—5.

Nays—Messrs. Ford, Humphries and President—3.

The bill was adopted.

The House bill to change the day of the commencement of the district courts,

Was read a second time, and

On motion of Mr. Blain,

The rule requiring bills to be read on three several days, was suspended, and

The bill was read the third time, and passed.

The House bill to lay out a road from Oregon City to Salem,

Was read a second time, and

On motion,

The Council adjourned until 2 o'clock, P. M.

AFTERNOON SESSION.

The Council met pursuant to adjournment.

The following message was sent to the House:

MR. SPEAKER: The Council have had under consideration the House bill to change the day of the commencement of the district courts, have passed the same, and herewith send to the House.

The following message was received from the House:

MR. PRESIDENT: The House have appointed a committee of conference on the bill to provide for the election of prosecuting attorneys.

Committee—Messrs. Chapman, and Walling, of Yamhill.

The Council instructed the President to appoint a committee to confer with a like committee from the House, on the bill.

The President appointed Messrs. Buck and Ford said committee.

The following message was received from the House:

MR. PRESIDENT: The House has indefinitely postponed the Council bill to authorize probate courts to establish county lines.

Also, the House has passed the accompanying bill, entitled, an act supplementary to an act, entitled, an act to provide for assessing and collecting county and territorial revenue.

The bill was read a first time, and

Passed to its second reading.

The House bill for an act, supplementary to an act, to establish a probate court, and define its duties and powers, and an act to authorize the probate courts to transact county business,

Was read a first time, and

Passed to its second reading.

The joint committee to whom was referred the bill to provide for the election of prosecuting attorneys, reported that they had amended the bill by placing in it, the enacting clause.

The Council adopted the report of the committee.

The following resolution was received from the House:

MR. PRESIDENT: The House have adopted the following resolution:

Resolved, The Council concurring herein, that the two Houses will meet in the Representatives' hall, at 4 o'clock, P. M., instant, and proceed to elect, *viva voce*, prosecuting attorneys for the first, second and third judicial districts.

The following message was sent to the House:

MR. SPEAKER: The Council have adopted the resolution of the House, for the joint convention of both Houses, for the purpose of electing prosecuting attorneys, at 4 o'clock, P. M., instant.

A message from the House:

MR. PRESIDENT: I am instructed to inform you that the Speaker has signed the bill establishing the office of sheriff, and herewith send the same for your signature.

Which was signed by the President, and filed away.

The resolution from the House, directing the mode of procuring the printing and binding of the laws of this territory,

Was read and adopted.

A communication was received from the secretary of this territory which was read satisfactorily to the Council, and passed to the committee on accounts.

On motion,

The rule requiring bills to be read on three several days was suspended, and

The House bill supplementary to an act to establish a probate court, and define its duties and powers, and an act to authorize the probate courts to transact county business,

Was read a second time, and amended, and

The bill passed to its third reading.

The same rule was suspended, and the bill

Was read a third time, and upon its final passage,

On motion of Mr. Ford,

The yeas and nays were taken, as follows:

Yeas—Messrs. Buck, Ford, Graves, Humphries, McKean and President—5.

Nays—Messrs. Blain and Mealy—2.

The bill passed, and was sent to the House.

The following message was received from the House:

MR. PRESIDENT: I am instructed by the Speaker to inform you that the House has passed the accompanying bills, to-wit:

A bill regulating ferries.

An act regulating proceeding in chancery, and herewith send to the Council.

The following message was sent to the House:

MR. SPEAKER: The following named and accompanying bills, are herewith sent for your signature, to-wit:

A bill regulating ferries.

A bill regulating the mode of proceeding in chancery.

The following message was received from the House:

MR. PRESIDENT: You are hereby informed that the House has passed the bill to establish the office of probate clerk, and herewith send to the Council.

The following note was sent to the House:

MR. SPEAKER: The accompanying bill to establish the office of probate clerk, is herewith sent for your signature.

The following message was received from the House:

MR. PRESIDENT: The House has passed the accompanying bill, concerning oaths and affirmations, and herewith send the same to the Council.

The following message, was sent to the House:

MR. SPEAKER: The accompanying bill concerning oaths and affirmations, is herewith sent for your signature.

The House bill to provide for taking the census,

Was read a second time.

The Council repaired to the Representatives' hall, for the purpose of electing prosecuting attorneys.

The Council returned from the House, and resumed the order of the day.

The President declared C. M. Walker duly elected prosecuting attorney for the first and second judicial districts.

David Stone was declared duly elected prosecuting attorney for the third judicial district.

On motion,

The Council went into committee of the whole on the bill to provide for taking the census,

Mr. Humphries in the Chair.

After spending some time, the committee rose, reported progress, and amendments.

The Council bill supplementary to an act, entitled an act establishing a pilotage on the Columbia and Willamette rivers, as amended by the House, was read and the amendments adopted.

On motion of Mr. Blain,

The rule requiring bills to be read on three several days was suspended, and

The House bill to provide for taking the census,

Was read the third time and passed.

The committee on accounts, asked leave to report a bill on appropriations,

Leave was granted, and

The bill was read a first time, and

Referred back to the committee on accounts.

The following message was sent to the House:

MR. SPEAKER: The Council have passed the Council bill to provide for taking the census, and herewith send to the House.

A message from the House:

MR. PRESIDENT: I am instructed to inform you that the House has proposed to adjourn until 9 o'clock, this evening.

The following note was received from the House:

MR. PRESIDENT: I am instructed to inform you that the House concur in the amendments of the Council, to the bill supplementary to the act, to establish a probate court, &c.

A message from the House:

MR. PRESIDENT: The Speaker has signed the accompanying bills, to-wit:

A bill to establish the office of probate clerk.

A bill directing the mode of proceeding in chancery.

A bill regulating ferries.

A bill supplementary to a bill to establish probate courts.

A bill concerning oaths and affirmations, and herewith send for your signature.

The following resolution was received from the House:

Resolved, The Council concurring herein, that officers appointed

to any office, by the legislative assembly, residing in Linn City, may hold their office in Linn City. Adopted by the House.

On vote, the resolution was not adopted by the Council.

A message from the House:

Mr. President: The House ask for a committee of conference on the bill for an act respecting executors and administrators.

Committee on the part of the House, Messrs. Matlock and Holman.

The following bills were signed by the President, and filed:

A bill concerning oaths and affirmations.

A bill directing the mode of proceeding in chancery.

A bill to establish the office of probate clerk.

A bill respecting ferries.

A bill for an act, supplementary to an act, to establish a probate court, and define its duties and powers, and an act to authorize probate courts to transact county business.

On motion,

The Council adjourned until 9 o'clock, A. M., to-morrow.

September 29, 1849, 9 o'clock, A. M.

The Council met pursuant to adjournment.

The President read a communication from the door-keeper of the Council, requesting them to receive his resignation as such officer.

Whereupon, his resignation was accepted, and his services dispensed with.

A message from the House:

Mr. President: The House have elected A. L. Lovejoy, commissioner on part of the House, to receive proposals for the printing of the laws and journals of the two Houses.

On motion of Mr. Blain,

The Council went into the election of a commissioner to receive proposals for the printing of the laws and journals of this territory.

Whereupon, the President declared W. W. Buck duly elected said commissioner.

The following message was sent to the House:

Mr. Speaker: I am instructed by the President to inform you that the Council have elected W. W. Buck, on the part of the Council, a commissioner to receive proposals for the printing of the laws and journals of the two Houses.

On motion of Mr. McKean,
A committee of conference was appointed to confer with a committee from the House, on the bill on executors and administrators.
Committee—Messrs. McKean and Ford.
The following note was sent to the House:

MR. SPEAKER: The Council have appointed Messrs. McKean and Ford a committee to confer with a like committee from the House on the bill respecting executors and administrators.

The following message was sent to the House:

MR. SPEAKER: The accompanying bill, supplementary to an act entitled, an act establishing a pilotage on the Columbia and Willamette rivers, is herewith sent for your signature.

On motion of Mr. Ford,
A committee was appointed to confer with a like committee to be appointed by the House, on the House bill to provide for special elections.
Committee—Messrs. Ford and Buck.
The following message was sent to the House:

MR. SPEAKER: I am instructed to inform you that the Council has appointed Messrs. Ford and Buck a committee, to confer with a like committee from the House, on the bill to provide for a special election.

The House bill for a supplement to the act for the collection of territorial revenue,
Was read a second time, and
On passing the bill to its third reading,
On motion of Mr. Buck,
The yeas and nays were taken, as follows:

Yeas—Messrs. Blain, Buck, Graves and McKean—4.

Nays—Messrs. Ford Humphries, Mealy and President—4.

The bill was refused to be read a third time.
The House bill to regulate grocery license,
Was read a second time, and
On motion of Mr. Blain,
The rule requiring bills to be read on three several days, was suspended, and
The bill was read a third time, and on its final passage,
Mr. Ford called for the yeas and nays, which were as follows:

Yeas—Messrs. Blain, Buck, Graves, McKean and Mealy—5.
Nays—Messrs. Ford, Humphries and President—3.

The bill passed.

On motion,

The Council adjourned until 2 o'clock, P. M.

AFTERNOON SESSION.

The Council met pursuant to adjournment.

On motion,

The following message was sent to the House:

MR. SPEAKER: The Council have passed the House bill to regulate grocery license, and herewith send it to the House.

Also, the Council refuse to have the House bill for an act, supplementary to an act, to provide for assessing and collecting territorial revenue, read a third time.

A message from the House:

MR. PRESIDENT: The Speaker has signed the accompanying bills, and send the same for your signature, to-wit:

A bill to provide for superintending the printing of the laws.

A bill to establish the price of public printing.

A bill to provide for assessing and collecting county and territorial revenue.

A bill to provide for the election of prosecuting attorney.

A bill to provide for a special election.

A bill to change the day of commencement of the district courts.

A bill to provide for taking the census.

Which were signed by the President, and filed away.

The House bill to lay out a road from Oregon City to Salem,

Was read a third time and passed.

The following message was sent to the House:

MR. SPEAKER: The Council have passed the accompanying House bill, to lay out a road from Oregon City to Salem, and herewith send to the House.

The following protest was ordered to be placed on the journal, to-wit:

The undersigned respectfully asks of the Council of Oregon territory, that the following may be spread upon the journals of the Council:

"In the general act, originating in the House, entitled, an act to enact and cause to be published a code of laws, the same having been read twice in Council, there were originally three acts, the first relating to the practice of law in the district courts, the second, in rela-

tion to information in nature of *quo warranto*, and regulating proceedings therein, and the third, upon the subject of stallions and jacks.

The general act having passed the House, with the foregoing mentioned bills included, was sent to this body for its concurrence. The first act was stricken out by the Council, without having been read, the second and third were each read once, and then stricken out, and the committee of conference between the two Houses, subsequently restored those three acts. The undersigned are thus reduced to the necessity of voting directly in the affirmative, or negative, upon the motion to adopt the report of the committee of conference. They voted in the negative because,

1st. The rules adopted by both branches of the legislature, requires each bill to be read three several times.

2d. Under the above mentioned rules, if one branch of the legislature negatives a bill, passed by the other branch, a committee of conference cannot restore the acts negatived, or indefinitely postponed, and

3d. The provisions of the bill are, in themselves such, that the undersigned cannot conscientiously vote for them.

SAMUEL PARKER.
NATHANIEL FORD.

The committee to whom was referred the bill, for an act making appropriations, reported back the same;

Which was read a first and second times.

Mr. Buck offered the following resolution:

Resolved, That the Council tender a vote of thanks to the President, for the able and impartial discharge of the duties assigned him.

Which was adopted.

The following message was received from the House:

MR. PRESIDENT: The accompanying bill, entitled, an act supplementary to an act, entitled, an act to establish a pilotage on the Columbia and Willamette rivers, is herewith sent for your signature.

Also, the accompanying bills are sent for your signature, to-wit:

A bill to regulate grocery license, and

A bill to lay out a road from Oregon City to Salem.

Which were severally signed by the President, and filed.

The following message was received from the House:

MR. PRESIDENT: The House has appointed a committee of conference on the bill for an act, supplementary to an act, entitled, an act to assess and collect county and territorial revenue.

Committee—Messrs. Chapman, King and Hembree.

On motion,
The Council adjourned until 7 o'clock, P. M.

EVENING SESSION.

The Council met pursuant to adjournment.
A message from the House:

MR. PRESIDENT: The accompanying bill, respecting executors and administrators, is herewith sent for your signature.

The Speaker has also signed the accompanying joint resolution, in regard to contracts for the printing of the laws and journals of the two Houses.

A message from the House:

MR. PRESIDENT: The Speaker has signed the accompanying bill to enact and cause to be published a code of laws, and herewith send the same for your signature.

The following message was sent to the House:

MR. SPEAKER: The Council have adopted the following resolution:

Resolved, The House concurring, that a committee of two from each House, be appointed to consider the amendments made to the House bill to enact and cause to be published a code of laws, and have appointed Messrs. Ford and Blain said committee.

Mr. Buck asked leave to introduce the following resolutions:
Which was granted, and
The following were read and accepted:

Resolved, That the chief clerk of this Council be instructed to hand over to the secretary of this territory, the laws and journals of this Council.

Resolved, That the chief clerk of this Council be allowed the sum of three hundred dollars, for superintending the printing of the journal of this Council, and indexing the same.

Whereupon the resolutions were adopted.
On motion of Mr. Ford,
The Council adjourned, *sine die*.

SAMUEL PARKER,
President of the Council.

INDEX

TO THE

JOURNAL OF THE HOUSE OF REPRESENTATIVES.

ARCHIVES, relative to, 27.
ACADEMY, Tualty county, 29.
" Clackamas county, 29.
APPORTIONMENT of representation, 69.
BOWLING ALLEYS, relating to, 13.
BOUNDARIES of Linn county, 42.
" of Yamhill county, 66.
BRIDGES, 45.
CAYUSE war claims, 24.
CATTLE, relating to, 29.
CENSUS, 73.
CHANCERY, proceeding in chancery, 49.
CHAPLAIN, elected, 6.
CHAMPOEG COUNTY, county seat of, 29.
" " name of, 29.
CLACKAMAS river navigable, 30.
CKACKAMAS COUNTY, to change name of, 50.
" " county seat of, 41.
COUNTY [illegible], 71.
COMMITTEES, standing, 8.
COURTS, relating to, 9.
COUNTY COURTS, relative to, 15.
[illegible]

[redacted]
SPECIAL ELECTIONS, 26.
TOLL, relative to, 10.
TUALITIN COUNTY, change name of, 26.
" " county seat of, 50.
WATER COURSES, relative to, 60.
WILD ANIMALS, relative to, 68.
VACANCIES, 22.
VANCOUVER COUNTY, change name of, 54.
NOTES, relative to, 62.
WILLS, relative to, 74.